





BOOK NO.

ACCESSION

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# APPENDIX

TO

# ASSEMBLY JOURNALS

OF THE

NINTH SESSION OF THE LEGISLATURE

OF THE

STATE OF CALIFORNIA.



SACRAMENTO:

JOHN O'MEARA, STATE PRINTER.

1858.

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“ 5.—Annual Report of the State Superintendent of Public Instruction.

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“ 8.—Annual Report of the State Prison Commissioners, for 1857.

“ 9.—Report of the Joint Committee on State Prison affairs.

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# ANNUAL REPORT

OF THE

# COMPTROLLER OF STATE,

FOR 1857.

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1874

1874

STATE OF MASSACHUSETTS

1874

JOHN O'MEARA, STATE PRINTER.

## COMPTROLLER'S REPORT.

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To His Excellency,

J. NEELY JOHNSON,

*Governor of the State of California :*

SIR:—The period has again arrived for me to submit to your Excellency my annual report. Much that was suggested in my last annual report may, with propriety, be omitted at this time, not only from the fact that it has been sufficiently often alluded to by myself and predecessors, but that it involves the calling of a convention to revise the constitution of the state; a policy that I cannot recommend at this time, for the reason, among many others, that, after an effort of more than eight years, we have but just succeeded in reducing our expenditures for ordinary purposes within our revenue, and have the flattering prospect of being in receipt of sufficient revenue, in addition, to meet the interest on our funded debt, without increasing the burthen of taxation—a state of things that the people should enjoy, at least for a season, before incurring the expense inseparably connected with the revision of the organic law of the state.

In my last annual report I stated that the enactment of “an equitable and efficient revenue law, is perhaps the most difficult task of legislation,” etc. The experience of two years has confirmed me in the opinion then expressed; and although the amendments to the revenue law enacted by the Legislature at the last session have greatly added to its efficiency, yet it is still radically imperfect in many of its provisions.

There is no provision of the amended revenue law of 1857, that has had a more salutary effect than that requiring the Comptroller to deduct, as forfeited to the state, the mileage and commissions of all county treasurers who may fail or neglect to make their settlements at the time prescribed by law.

Within the last six months this penalty has been inflicted in but one or two instances, and judging from the effect produced, it is unlikely that it will have to be repeated with the same parties, and I would suggest that it would be well to extend a similar provision to all county officers having to do with the assessment or collection of the revenue; or having as a part of their duty to make reports to any county or state officer, or to the Legislature.

In this connection, I would direct special attention to section 29 of the revenue law of 1853, which is still in force, and requires that county auditors “shall make out and cause to be transmitted by mail or otherwise, to the Comptroller of State, on or before the first day of November of each year, a complete abstract of the property listed in his county; the valuation thereof; the number of polls; the amount of each kind of tax, and the aggregate thereof in the county, as also the rate of each kind of tax assessed.” I regret to say that this plain and simple,



and I may add, very important duty, is greatly neglected, many omitting it altogether, others making their reports so long after the time prescribed, as to be of little value for the purposes designed. I would suggest that a law be enacted, withholding the compensation of county auditors for the performance of all duties connected with the revenue, until such time as they can present the receipt of the Comptroller of State, that they have duly made such report.

It has been intimated that an effort will be made to repeal the law of 1857, which divides equally between the state and county the proceeds of the sales of state licenses. It is to be hoped, however, that this will not be done, as the law as it now stands is eminently equitable, especially when it is considered that the state is at the sole expense of printing and transmitting the licenses to the various counties.

Section seven of article three of the collated revenue laws reads as follows: "Bankers and dealers in exchange shall be divided into five classes," etc. There are bankers who do not deal in bills of exchange, and it is contended by them that they are not subject to a license tax, and in some instances they have refused to take out a license. This may be an untenable position, and, to avoid all controversy, I would suggest that the law be amended by the word "or" for "and."

The one hundred and thirteenth section of the revenue law of 1854 reads as follows: "The amounts allowed and paid to the sheriffs, assessors, and auditors shall be appointed [apportioned would be a better term] by the county auditor in proportion to the amount received into the county treasury for state purposes, and charged to the state or county, ratably in said proportions; and the auditor shall forward to the Comptroller of State, a certificate statement of the amount so apportioned against the state, and the Comptroller shall credit the Treasurer therewith."

Although the phraseology of the above statute is reasonably plain, yet great difficulty frequently arises in settling with county treasurers, owing to imperfections in the auditor's certificate. Thousands of dollars are annually paid out of the funds belonging to the state upon the mere statements of the county auditors, the law not requiring them to furnish any *data* by which their correctness may be computed by the Comptroller.

I would suggest that the law be so amended as to require all allowances made to county officers for services required by law to be performed in connection with the collection of the revenue, which are to be paid by the state, to be made by the board of supervisors upon an account made out by the auditor, giving the items or matters of charge with proper date, apportioning the amount to be paid by the state on each item, and that the auditor be required to forward to the Comptroller a certified copy of the account so made out and allowed, stating particularly that the amounts apportioned to be paid by the state are correct, and that they have been paid by the county, also forwarding therewith a certified copy of the order of the board of supervisors directing their payment by the county treasurer. The reasons for the above suggestions are so obvious that it is deemed unnecessary to state them here.

Section twenty-nine of the revenue law of 1857, imposing a duty of one-half of one per cent. on the amount of all sales made by auctioneers, has hitherto been almost entirely unobserved. I am not fully advised of the reasons that prompt to its resistance.

It will be observed that the statute requires that "on the first Monday of each month, each and every auctioneer shall make out, under oath, a correct statement of all goods, etc., sold by him during the month last preceding," and generally to make an expose of the whole of his business. This, it must be admitted, is a delicate point. It is to be presumed that every one engaged in the business of an auctioneer is anxious to have the public believe that he is doing a good business



in his calling, for on this, to a certain degree, depends its actual extent. Hence their repugnance to making a detailed and truthful disclosure.

As a matter of palliation, it may be urged that all parties who are required to procure a license, in order to pursue their particular calling, are taxed in proportion to the amount of business done by them. It must, however, be remembered that the amount is given in the aggregate as property to the assessor; and it is well known to most of us that there are many who take it with great complacency to be considered rich by all save the assessor. I therefore submit to the wisdom of the Legislature the propriety of taxing auctioneers as merchants are now taxed, which if done would be more productive of revenue than the present system. I am informed they will cheerfully acquiesce.

It will be seen by reference to receipts from the sale of stamps, that the revenue from that source is falling off. This is attributable to the fact that remittances are now being made by shipping coin and bullion instead of by bills of exchange. I would therefore suggest that the law be so amended as to require the stamps to be attached to all bills of lading, either for coin or bullion.

There is no necessity for the employment of an extra clerk in the office of the Secretary of State, in connection with the issuance of stamps. The additional labor imposed on that officer by the stamp act can be performed within one or two days for an entire year.

If some means could be devised to impress the stamps upon the paper of the various instruments designated in the law, it would add greatly to the neatness of their appearance, and to the convenience of those using them; and it would be a great saving of labor, as well as an additional security against fraud.

It was, doubtless, the intention of the Legislature, at its last session, to repeal the law imposing a tax for military purposes. The act of 1855 imposed a tax of twenty-five cents; that of 1856 increased it to fifty cents; and the act of 1857 repealed that of 1856, leaving the act of 1855 still in force. A tax of twenty-five cents will not pay the cost of printing and distributing the blank receipts, and the law should either be repealed or the amount increased.

I had, from time to time, made notes and collected data, preparatory to more extended remarks upon the financial condition of the state, but being aware that your Excellency has been, for a long time, with commendable diligence, engaged in like manner, and that the result of your labors will be embodied in the communication that you will make to the Legislature about to convene, I have deemed it advisable to make this communication as brief as possible.

The term for which your Excellency was chosen to preside over the destinies of our young and growing state, as well as that of all the state officers who came into office with you, is fast drawing to a close. During that brief period, events of no ordinary character have transpired, some of them calculated to occasion lasting pain and regret. Among these, however, will not be reckoned the fact that, within that period, the expenditures of the state for governmental purposes have been reduced nearly one-half, leaving a large surplus in the treasury.

Hoping that your future may be crowned with eminent success, I subscribe myself,

Your obedient servant,

G. W. WHITMAN,  
Comptroller of State.

SACRAMENTO, January 1, 1858.



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Tabular statement of receipts, from December 31st, 1855, to January 1st, 1857.

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## CORVETTES, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644

[B]

## EXPENDITURES

*For the Eighth Fiscal Year ending June 30th, 1857.*

## EXECUTIVE DEPARTMENT.

## SALARIES.

Salary of Governor,	-	-	-	-	-	\$9,166	33
Salary of Comptroller of State,	-	-	-	-	-	4,125	00
Salary of Treasurer of State,	-	-	-	-	-	4,017	85
Salary of Attorney General,	-	-	-	-	-	1,500	02
Salary of Secretary of State,	-	-	-	-	-	3,208	32
Salary of Surveyor General,	-	-	-	-	-	1,666	67
Salary of Quartermaster General,	-	-	-	-	-	2,500	00
Salary of Superintendent of Public Instruction,	-	-	-	-	-	2,833	32
Salary of Members of Board of Examiners,	-	-	-	-	-	1,150	00
							<hr/>
							\$30,167 51

## SECRETARIES AND CLERKS.

Salary of Governor's Private Secretary,	-	-	-	-	-	\$2,083	00
Salary of Clerks in Comptroller's office,	-	-	-	-	-	10,520	00
Salary of Clerks in Treasurer's office,	-	-	-	-	-	5,099	13
Salary of Clerks in Secretary of State's office,	-	-	-	-	-	7,290	00
Salary of Clerks to Board of Examiners,	-	-	-	-	-	575	00
							<hr/>
							\$25,567 13

## CONTINGENT EXPENSES.

Contingent Fund of Governor,	-	-	-	-	-	\$377	70
Contingent Fund of Governor, "Special,"	-	-	-	-	-	1,633	00
Contingent Fund of Comptroller's Office,	-	-	-	-	-	1,812	14
Contingent Fund of Treasurer's Office,	-	-	-	-	-	1,496	93
Contingent Fund of Secretary of State,	-	-	-	-	-	1,458	33
Contingent Fund of Quartermaster General,	-	-	-	-	-	673	17
Contingent Fund of Attorney General,	-	-	-	-	-	1,629	61
Contingent Fund of Superintendent Pub. Instruction,	-	-	-	-	-	1,755	79
Contingent Fund of Surveyor General,	-	-	-	-	-	1,756	23
Contingent Fund of State Library,	-	-	-	-	-	398	39
Contingent Fund of Board of Examiners,	-	-	-	-	-	285	00
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							\$13,276 29

## JUDICIAL DEPARTMENT.

## SALARIES.

Salaries of Justices of Supreme Court,	-	-	-	-	-	\$19,472	80
Salaries of District Judges,	-	-	-	-	-	51,506	16
Salaries of District Judges,	-	-	-	-	-	3,104	31
Salary of Secretary of Supreme Court,	-	-	-	-	-	1,350	00
Salary of Supreme Court Reporter,	-	-	-	-	-	2,000	00
							<hr/>
							\$77,433 27
							<hr/>
Carried forward,	-	-	-	-	-	-	\$146,444 20



Brought forward, -	-	-	-	-	-	-	-	-	\$146,444 20
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## CONTINGENTS.

Contingents of Supreme Court, -	-	-	-	-	-	-	-	\$3,075 75
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## RENTS.

Rent of Supreme Court Room, -	-	-	-	-	-	-	-	\$416 66
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## LEGISLATIVE DEPARTMENT.

Per diem and mileage of Lt.-Governor and Senators, \$34,730 60	
Per diem and mileage of Assemblymen, -	70,289 20
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	\$105,019 80

## OFFICERS AND ATTACHES.

Of the Senate, -	-	-	-	-	-	-	\$15,140 00
Of the Senate, -	-	-	-	-	-	-	112 00
Of the Assembly, -	-	-	-	-	-	-	13,220 40
Copying for Assembly, -	-	-	-	-	-	-	1,917 20
							<hr/>
							\$30,389 60

## CONTINGENTS.

Of the Senate, -	-	-	-	-	-	-	\$2,021 20
Of the Senate, -	-	-	-	-	-	-	91 90
Of the Assembly, -	-	-	-	-	-	-	5,203 49
Of the Assembly, -	-	-	-	-	-	-	200 00
							<hr/>
							\$7,516 59

## POSTAGE AND EXPRESSING.

For the Eighth Session of the Legislature, -	-	-	-	-	-	-	\$3,378 19
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## EXPENDED FOR HOSPITAL PURPOSES.

Insane Asylum, support and maintenance, -	-	\$33,917 00
Insane Asylum, salary of Physicians, -	-	6,666 66
Completion of Insane Asylum, -	-	39,999 98
Labor on Insane Asylum, to M. Fennel, -	-	1,400 00
Indigent Sick of Napa county, -	-	211 01
Indigent Sick of Humboldt county, -	-	54 36
Indigent Sick of Santa Barbara county, -	-	278 05
Indigent Sick of Nevada county, -	-	555 76
Indigent Sick of San Diego county, -	-	17 75
Indigent Sick of Sacramento county, -	-	599 30
Indigent Sick of Amador county, -	-	308 75
		<hr/>
Carried forward, -	-	\$296,240 79

Brought forward, - - - - -	\$296,240 79
Indigent Sick of Yolo county, - - - -	97 73
Indigent Sick of Tuolumne county, - - - -	471 32
Indigent Sick of El Dorado county, - - - -	648 23
Indigent Sick of San Francisco county, - - - -	927 65
Indigent Sick of Placer county, - - - -	455 41
Indigent Sick of Calaveras county, - - - -	361 33
Indigent Sick of Yuba county, - - - -	400 15
Indigent Sick of Butte county, - - - -	374 08
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	\$87,744 52

## EXPENDED FOR SCHOOL PURPOSES.

Support of Schools, Sacramento county, - - -	\$2,792 40
Support of Schools, Santa Cruz county, - - -	617 76
Support of Schools, San Francisco county, - - -	7,068 36
Support of Schools, Stanislaus county, - - -	115 44
Support of Schools, Stanislaus county, - - -	88 80
Support of Schools, San Diego county, - - -	140 40
Support of Schools, Sonoma county, - - -	1,935 96
Support of Schools, Contra Costa county, - - -	912 12
Support of Schools, Nevada county, - - -	1,185 60
Support of Schools, Butte county, - - -	429 00
Support of Schools, San Joaquin county, - - -	1,730 04
Support of Schools, Sutter county, - - -	288 60
Support of Schools, Placer county, - - -	634 80
Support of Schools, Shasta county, - - -	1,040 52
Support of Schools, Yuba county, - - -	989 40
Support of Schools, Los Angeles county, - - -	2,374 32
Support of Schools, Sierra county, - - -	191 88
Support of Schools, Alameda county, - - -	1,051 44
Support of Schools, Santa Clara county, - - -	2,513 16
Support of Schools, Amador county, - - -	1,349 40
Support of Schools, Napa county, - - -	909 72
Support of Schools, Solano county, - - -	999 96
Support of Schools, Calaveras county, - - -	822 12
Support of Schools, Tuolumne county, - - -	1,262 04
Support of Schools, Yolo county, - - -	681 72
Support of Schools, San Mateo county, - - -	638 04
Support of Schools, Monterey county, - - -	1,549 08
Support of Schools, Colusi county, - - -	45 24
Support of Schools, El Dorado county, - - -	1,892 28
Support of Schools, Humboldt county, - - -	178 80
Support of Schools, Humboldt county, - - -	232 44
Support of Schools, San Bernardino county, - - -	627 12
Support of Schools, Siskiyou county, - - -	244 92
Support of Schools, San Luis Obispo county, - - -	517 92
Support of Schools, Santa Barbara county, - - -	409 56
Support of Schools, Yuba county, - - -	1,409 10
Support of Schools, Mariposa county, - - -	798 99
Support of Schools, Sacramento county, - - -	3,667 95
	<hr/>
Carried forward, - - - - -	\$383,985 31



Brought forward, - - - - -	\$383,985 31
Support of Schools, Calaveras county, - - -	737 55
Support of Schools, El Dorado county, - - -	2,869 35
Support of Schools, Amador county, - - -	646 80
Support of Schools, San Mateo county, - - -	519 75
Support of Schools, Shasta county, - - -	476 85
Support of Schools, Sutter county, - - -	389 40
Support of Schools, Placer county, - - -	450 45
Support of Schools, Marin county, - - -	51 15
Support of Schools, San Francisco county, - - -	7,839 15
Support of Schools, Alameda county, - - -	1,397 55
Support of Schools, Napa county, - - -	1,047 75
Support of Schools, San Joaquin county, - - -	2,090 55
Support of Schools, Yolo county, - - -	625 35
Support of Schools, Tuolumne county, - - -	1,633 50
Support of Schools, Santa Barbara county, - - -	1,909 92
Support of Schools of Merced county, - - -	174 90
Support of Schools of Santa Clara county, - - -	2,768 70
Support of Schools of Los Angeles county, - - -	2,613 60
Support of Schools of Monterey county, - - -	1,272 15
Support of Schools of Solano county, - - -	874 50
Support of Schools of San Diego county, - - -	385 47
Support of Schools of Butte county, - - -	773 85
Support of Schools of Tehama county, - - -	120 45
Support of Schools of Contra Costa county, - - -	1,090 65
Support of Schools of Sonoma county, - - -	2,795 10
Support of Schools of Sierra county, - - -	582 45
Support of Schools of San Bernardino county, - - -	1,719 30
Support of Schools of Nevada county, - - -	912 45
Support of Schools of Santa Cruz county, - - -	1,019 70
Support of Schools of Plumas county, - - -	332 28
Support of Schools of Amador county, - - -	785 40
Support of Schools of Humboldt county, - - -	374 55
Support of Schools of San Luis Obispo county, - - -	536 25
Support of Schools of Nevada county, - - -	148 50
Support of Schools of Santa Barbara county, - - -	1,351 35
Support of Schools of Placer county, - - -	267 30
Support of Schools of Placer county, - - -	120 45
	<hr/>
	\$88,040 82

## EXPENDED FOR PRINTING.

Printing, paper, and official advertisements, - - -	\$42,270 75
Printing, paper and binding, - - -	10,000 00
Compensation of State Printer, - - -	4,282 27
Publishing Proposed Amendments to Constitution, - - -	1,119 25
Publishing notices of Wagon Roads, Swamp Lands, etc., - - -	2,970 78
Publishing notices of sales of State Land Commis- sioners, - - -	3,820 50
Official Advertisements, - - -	487 73
	<hr/>
Carried forward, - - -	\$536,977 41

Brought forward, - - - - - \$536,977 41

### EXPENDED FOR STATE PRISON PURPOSES.

Salaries of State Prison Directors, - - - -	\$6,416 66	
Lessee of State Prison Property, - - - -	75,000 00	
Salary of State Prison Directors and Attaches, -	200 00	
Contingent expenses of State Prison Commissioners,	100 00	
Relief of State Prison, - - - - -	5,000 00	
		<u>\$86,716 66</u>

### MISCELLANEOUS EXPENSES.

Rent of Governor's Office, - - - - -	\$50 00
Contingents of Surveyor General, and expenses in suits where the State is a party, - - - - -	36 40
Transportation of prisoners, - - - - -	20,476 00
Distributing Laws and Journals, - - - - -	1,000 00
Printing Experts, - - - - -	100 00
Indexing Laws and Journals, - - - - -	300 00
Prosecuting delinquents, - - - - -	1,000 00
Stationery, fuel, lights, etc., for Legislature, - -	7,090 89
Rent of State House, - - - - -	10,000 00
Instruments, furniture and plotting, Office of Survey- or General, - - - - -	1,780 89
Draughtsman of Surveyor General, - - - - -	250 00
Contingent Fund of Surveyor General, - - - - -	700 00
Fees and costs of suit prosecuted by Attorney Gen- eral, - - - - -	1,105 80
Salary of Commissioner of War Debt, - - - - -	1,500 00
Salary of Clerk to Board of War Commissioners, -	1,800 00
Suppression of Indian hostilities in Klamath county,	7,919 03
Translating certain documents, - - - - -	4,948 82
State Capitol, - - - - -	3,749 97
Contingent Fund of State Capitol Commissioners, -	935 38
Library Fund, - - - - -	5,223 27
Rewards for the apprehension of Fugitives, - -	1,000 00
Pay and mileage of Presidential Electors, - -	452 00
Military Fund, - - - - -	1,517 75
Arrest and suppression of Armed Banditti, - -	5,000 00
Costs and expenses other than counsel fees where the State is party, - - - - -	250 00
Rent of State Library Rooms, - - - - -	150 00
State Agricultural Society, - - - - -	5,000 00
Britton & Rey, (preparing Bonds of 1856,) - -	1,000 00
H. P. Hepburn, (Supreme Court Reports of 1856,) -	8,000 00
Richard Cole, (translating Laws into Chinese,) -	210 00
Claiborne Hubbard, (Contingents of Comptroller,) -	50 00
E. G. Vaughan, (Contingents of Comptroller,) -	29 57
Wm. Coates, (Official Reporter of Senate,) - -	378 00
Daniel McLaren, (Clerk to Surveyor General,) -	208 00
E. M. Botts, (services in Treasurer's Office,) -	200 00
Carried forward, - - - - -	<u>\$623,694 07</u>

Brought forward, - - - - -	\$623,694 07
Sacramento Water Works, - - - - -	50 00
E. M. Skaggs & Co., (rent of Committee Room,) - - -	30 00
Cornelius Brown, (Porter of Senate,) - - -	72 00
B. F. Hastings & Co., (rent Supreme Court Room,) -	416 66
J. P. Sharkey, (contingents of Senate,) - - -	189 00
J. Neely Johnson, (rent of Governor's Office,) - -	60 00
C. H. Bradford, (costs of suit where the State is a party,) - - - - -	130 00
Jonathan Nichols, (rent of Library Room,) - - -	150 00
Hiller & Andrews, (rent of office for Surveyor General,) - - - - -	100 00
E. F. Burton, (Comptroller <i>ad interim</i> ,) - - -	375 00
Claiborne Hubbard, (contingents of Comptroller,) -	50 00
Britton & Rey, (Comptroller's Warrants,) - - -	375 00
	<hr/>
	\$95,409 43

#### RECAPITULATION OF EXPENDITURES.

Executive Department, - - - - -	\$69,010 93
Judicial Department, - - - - -	80,925 68
Legislative Department, - - - - -	146,304 18
Hospital Purposes, - - - - -	87,744 52
School Purposes, - - - - -	88,040 82
State Prison Purposes, - - - - -	86,716 66
Printing, - - - - -	64,951 28
Miscellaneous Expenses, - - - - -	95,409 43
	<hr/>
	<u><u>\$719,103 50</u></u>



[C]

## EXHIBIT

*Of Receipts into the State Treasury during the First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Fiscal Years.*

RECEIVED FROM	First Fiscal Year, ending June 30th, 1850.....	Second Fiscal Year, ending June 30th, 1851.....	Third Fiscal Year, ending June 30th, 1852.....	Fourth Fiscal Year, ending June 30th, 1853.....	Fifth Fiscal Year, ending June 30th, 1854.....	Sixth Fiscal Year, ending June 30th, 1855.....	Seventh Fiscal Year, ending June 30th, 1856.....	Eighth Fiscal Year, ending June 30th, 1857.....	TOTALS.
Alameda.....	.....	.....	.....	.....	\$15,816 97	\$17,334 14	\$23,138 94	\$15,348 72	\$71,638 77
Amador.....	.....	.....	.....	.....	.....	9,554 70	23,905 61	16,815 32	50,275 63
Butte.....	.....	.....	.....	.....	7,347 48	15,380 10	16,574 66	30,189 11	79,719 95
Calaveras.....	.....	\$512 43	\$3,064 75	\$6,651 42	35,765 71	24,298 54	4,152 17	17,396 62	95,457 93
Colusa.....	.....	.....	3,173 93	10,670 96	3,662 95	5,802 62	6,607 22	5,649 90	24,641 44
Contra Costa.....	.....	.....	1,754 09	1,164 76	8,481 49	9,601 31	7,573 63	7,259 25	26,279 97
El Dorado.....	.....	9,854 57	9,690 04	9,819 68	65,666 02	46,180 61	70,529 15	53,278 62	272,533 85
Fresno.....	.....	1,200 00	8,643 93	27,035 52	.....	.....	.....	4,382 45	4,382 45
Humboldt.....	.....	.....	.....	.....	3,645 63	3,498 69	1,124 69	5,574 79	13,843 80
Klamath.....	.....	.....	.....	549,62	1,100 00	.....	1,991 77	.....	3,641 39
Los Angeles.....	.....	.....	.....	9,354 53	17,051 07	14,051 86	14,936 50	659 67	76,683 97
Marin.....	.....	10,037 02	10,593 32	3,298 38	.....	6,357 06	2,152 59	3,244 67	24,008 23
Mariposa.....	.....	4,553 50	4,402 03	6,091 28	14,359 23	12,607 85	26,322 28	9,210 44	69,449 61
Merced.....	.....	858 53	.....	.....	.....	.....	2,771 65	3,472 63	6,244 28
Monterey.....	.....	.....	.....	5,821 55	9,607 00	7,861 47	6,014 70	8,588 29	63,847 41
Napa.....	.....	16,818 79	9,135 61	3,326 47	6,697 60	7,012 40	8,828 58	10,644 23	45,449 90
Nevada.....	.....	4,149 92	4,790 70	8,310 41	14,630 98	25,229 47	29,011 31	30,884 36	123,989 51
Placer.....	.....	.....	8,041 61	26,798 95	28,302 73	27,211 29	28,913 81	34,878 70	154,147 09
Plumas.....	.....	.....	.....	.....	.....	3,087 05	4,543 90	8,930 29	16,561 24



Sacramento .....	42,092 29	64,930 70	17,977 36	34,704 95	68,024 50	60,128 67	69,785 57	357,651 04
San - Bernardino.....	.....	.....	.....	1,528 46	1,104 27	1,034 17	.....	3,666 90
San Diego.....	.....	3,910 50	598 90	1,827 60	3,186 14	3,204 91	2,495 51	15,223 57
San Francisco.....	132,359 29	100,544 54	127,681 79	204,589 56	249,589 56	130,846 71	191,311 26	1,137,077 54
San Joaquin.....	9,198 30	13,389 97	16,120 25	22,332 46	26,300 61	30,321 65	25,359 12	143,021 86
San Luis Obispo.....	2,067 74	2,245 65	1,333 13	1,693 30	1,555 12	1,636 07	2,153 09	13,324 10
Santa Barbara.....	5,086 87	3,621 26	3,430 34	5,853 64	357 47	.....	10,346 81	28,696 39
Santa Clara.....	22,790 07	16,873 26	2,083 89	15,137 07	30,936 88	29,542 17	37,831 39	155,194 75
Santa Cruz.....	4,948 36	7,903 23	146 30	7,288 40	4,009 60	4,146 25	5,424 01	33,866 15
Shasta.....	.....	5,185 56	2,608 15	8,318 46	10,386 58	11,729 42	16,113 42	54,341 59
Sierra.....	.....	.....	.....	14,544 83	15,074 44	19,509 27	12,384 15	61,512 69
Siskiyou.....	.....	.....	5,001 45	3,327 83	13,157 90	9,685 47	12,819 80	43,992 45
Solano.....	9,580 99	6,897 35	7,522 19	11,583 90	4,530 55	16,224 17	14,241 30	70,580 46
Sonoma.....	4,772 43	4,800 00	9,356 19	13,479 90	12,725 14	9,318 63	8,172 98	62,625 27
Stanislaus.....	.....	.....	.....	.....	2,679 24	3,671 27	4,348 30	10,698 81
Sutter.....	4,772 38	1,000 00	2,795 12	3,886 94	3,585 69	6,407 09	10,431 08	32,938 30
San Mateo.....	.....	.....	.....	.....	.....	.....	.....	.....
Trinity.....	.....	1,034 03	1,203 58	6,635 82	10,326 84	12,099 86	4,058 17	35,358 30
Tulare.....	.....	.....	.....	1,012 62	646 85	1,038 07	.....	2,717 54
Tuolumne.....	.....	8,260 51	20,470 52	5,309 51	25,519 71	35,751 79	38,143 16	133,455 20
Tehama.....	.....	.....	.....	.....	.....	.....	.....	.....
Yolo.....	1,308 20	2,701 60	4,576 01	4,070 00	4,690 85	10,595 24	8,390 17	6,632 60
Yuba.....	9,827 25	12,184 46	18,112 67	23,804 58	37,682 94	43,707 72	42,667 14	36,532 07
Foreign Miners' Tax, 1850.....	29,891 20	.....	.....	.....	.....	.....	.....	187,986 76
Governor's Office, rent refunded.....	1,235 00	.....	.....	.....	.....	.....	.....	33,147 47
State Marine Hospital.....	887 60	.....	.....	.....	.....	.....	.....	1,235 00
Secretary of State's Office.....	187 25	80 75	1,156 20	2,604 20	1,957 50	2,842 00	2,255 00	11,082 90
State Assayer's Office.....	1,106 07	.....	.....	.....	.....	.....	.....	1,106 07
City of San Francisco.....	.....	15,250 00	.....	53,635 50	312 50	.....	.....	69,198 00
A. W. Adams.....	.....	11 03	.....	.....	.....	.....	.....	11 03
Comptroller of State.....	.....	.....	500 00	268 00	.....	.....	.....	768 00
Pacific Steamship Co.....	.....	.....	.....	12,500 00	.....	.....	.....	12,500 00
Board of Land Commissioners.....	.....	.....	.....	294,902 70	212,833 56	53 12	.....	507,789 38
Commissioners of Emigrants.....	.....	.....	.....	31,058 00	29,292 50	602 95	6,801 50	178,031 90
Estate of W. W. Scott.....	24,391 25	85,885 70	.....	4,240 31	.....	.....	.....	4,240 31
Estate of G. Brock.....	.....	.....	.....	89 09	.....	.....	.....	89 09
United States.....	.....	.....	.....	.....	150,000 00	.....	.....	150,000 00
Hackett & Judah.....	.....	.....	.....	.....	1 00	.....	.....	1 00
Wharf Privileges.....	.....	.....	.....	.....	.....	.....	20 00	20 00
California Telegraph Co.....	.....	.....	.....	.....	.....	.....	223 40	223 40
Wm. Neely Thompson.....	.....	.....	.....	.....	.....	.....	1,280 00	1,280 00
Total.....	\$3,166 37	\$306,825 07	\$454,985 84	\$1,022,647 32	\$1,155,537 10	\$723,238 83	\$799,795 90	\$4,857,631 39

[D]

## EXHIBIT

## Of Expenditures for the First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Fiscal Years.

EXPENSES OF	First Fiscal Year, ending June 30th, 1850.	Second Fiscal Year, ending June 30th, 1851.	Third Fiscal Year, ending June 30th, 1852.	Fourth Fiscal Year, ending June 30th, 1853.	Fifth Fiscal Year, ending June 30th, 1854.	Sixth Fiscal Year, ending June 30th, 1855.	Seventh Fiscal Year, ending June 30th, 1856.	Eighth Fiscal Year, ending June 30th, 1857.	TOTALS.
Executive Department .....	\$26,568 30	\$103,354 84	\$94,886 20	\$102,607 04	\$125,110 49	\$137,581 03	\$114,079 87	\$69,010 93	\$773,198 70
Judicial Department .....	26,996 50	98,034 25	155,533 76	126,697 09	93,309 60	102,278 29	105,115 01	80,925 68	788,910 18
Legislative Department .....	215,806 94	212,924 48	306,780 25	312,301 61	307,712 78	374,439 98	293,412 29	146,304 18	2,169,682 51
Hospital Purposes .....	.....	8,387 30	90,939 75	210,306 42	225,453 91	390,210 82	141,163 63	87,744 52	1,154,206 35
School Purposes .....	.....	.....	.....	.....	.....	.....	52,255 42	88,040 82	140,296 24
State Prison Purposes .....	.....	.....	.....	.....	.....	.....	370,174 14	86,716 66	456,890 80
Printing .....	74,073 25	100,933 51	159,845 77	202,494 39	107,610 71	139,405 21	171,778 25	64,951 28	1,021,092 37
Miscellaneous Expenses .....	4,720 27	62,048 45	117,709 83	314,742 58	346,560 47	193,571 31	120,706 20	95,409 43	1,255,468 54
Total .....	\$348,165 26	\$585,702 83	\$925,695 56	\$1,269,149 13	\$1,205,757 96	\$1,337,486 64	\$1,308,684 81	\$719,103 50	\$7,759,745 69

## [E] TABULAR STATEMENT

*Of the amount of each Appropriation made by Law, the amount audited under each, and the balance unexpended at the close of the Eighth Fiscal Year, ending June 30, 1857.*

PURPOSE AND DATE OF ACT.		Amount of Appropriation.	Amount Expended.	Amount Unexpended.	Amount Overdrawn.
For the support of the Indigent Sick, Act of May 19th, 1853	- - -	\$5,760 88	\$5,760 88	.....	.....
For the support of Common Schools, Act of May 3d, 1855	- - -	88,040 82	88,040 82	.....	.....
<i>General Appropriation Act of March 15, 1856, unexpended balances.</i>					
For salary of Governor	- - -	5,833 34	5,833 34	.....	.....
For salary of Comptroller of State	- - -	2,625 00	2,625 00	.....	.....
For salary of Treasurer of State	- - -	2,625 00	2,625 00	.....	.....
For salary of Secretary of State	- - -	2,372 35	2,041 68	330 67	.....
For salary of Attorney General	- - -	1,166 70	1,166 70	.....	.....
For salary of Surveyor General	- - -	1,166 69	1,166 69	.....	.....
For salary of Quartermaster General	- - -	2,250 01	2,000 00	250 01	.....
For salary of Sup't of Public Instruction	- - -	2,625 00	2,541 66	83 34	.....
For salary of Clerks in Comptroller's Office	- - -	7,560 00	7,560 00	.....	.....
For salary of Clerks in Treasurer's Office	- - -	3,780 00	3,780 00	.....	.....
For salary of Clerks in Secretary of State's Office	- - -	5,905 00	5,670 00	235 00	.....
For salary of Supreme Judges	- - -	17,366 89	16,306 48	1,060 41	.....
For salary of District Judges	- - -	43,602 73	43,377 86	224 87	.....
For salary of Private Secretary of Governor	- - -	1,458 34	1,458 34	.....	.....
For salary of Secretary of Supreme Court	- - -	1,050 00	1,050 00	.....	.....
For Contingent Fund of Governor	- - -	280 65	252 70	27 95	.....



TABULAR STATEMENT—CONTINUED.

20

PURPOSE AND DATE OF ACT.	Amount of Appropriation.	Amount Expended.	Amount Unexpended.	Amount Overdrawn.
<i>Appropriation of March 15, 1856—Continued.</i>				
For Contingent Fund of Comptroller's Office - - -	\$1,561 19	\$1,561 19		
For Contingent Fund of Treasurer's Office - - -	1,107 81	1,099 07	\$8 74	
For Contingent Fund of Secretary of State - - -	1,436 58	1,358 33	78 25	
For Contingent Fund of Quartermaster General - - -	741 68	637 00	104 68	
For Contingent Fund of Attorney General - - -	1,641 50	1,629 61	11 89	
For Contingent Fund of Sup't of Public Instruction - - -	1,469 51	1,456 56	12 95	
For Contingent Fund of Surveyor General - - -	1,873 11	1,731 23	141 88	
For Contingent Fund of Supreme Court - - -	2,839 00	2,839 00		
For Contingent Fund of Assembly - - -	5,012 50	3,554 09		
For distributing Laws and Journals - - -	1,000 00	1,000 00		
For Insane Asylum - - -	30,042 85	31,000 00		\$957 15
For salary of Physicians of Insane Asylum - - -	6,000 00	6,000 00		
For pay of Assembly Officers and Clerks - - -	3,308 00	3,308 00		
For per diem and mileage of Senators - - -	16,938 00	18,662 60	3,275 40	
For per diem and mileage of Assemblymen - - -	32,316 60	26,729 20	5,587 40	
For contingents of State Library - - -	852 07	350 64	501 43	
For prosecuting Delinquents - - -	4,000 00	1,000 00	3,000 00	
For stationery, fuel, lights, etc., for the Legislature - - -	6,550 89	6,550 89		
For rent of State House - - -	9,000 00	9,000 00		
For instruments, furniture and plotting in the office of Surveyor General - - -	2,270 00	1,780 89	489 11	
For printing, paper, and official advertisements - - -	42,099 13	41,817 05	282 08	
<i>Appropriation of February 2, 1857.</i>				
For pay of Officers and Clerks of Senate - - -	3,653 00	3,641 00	12 00	
For pay of Officers and Clerks of Assembly - - -	2,664 00	1,725 40	938 60	

*Appropriation of April 16, 1856.*

Contingent Fund of the Senate	-	-	-	-	-	335 70	334 00	1 70	.....
Indexing Laws and Journals	-	-	-	-	-	370 00	300 00	70 00	.....
Fees and costs of suit prosecuted by Attorney General	-	-	-	-	-	1,464 75	1,105 80	358 95	.....
Contingent Fund of Board of Examiners	-	-	-	-	-	235 00	235 00	.....	.....
Salary of Members of the Board of Examiners	-	-	-	-	-	1,200 00	950 00	250 00	.....
Salary of Clerk to Board of Examiners	-	-	-	-	-	600 00	475 00	125 00	.....

*Appropriation of April 7, 1856.*

For salaries of State Prison Directors	-	-	-	-	-	6,416 66	6,416 66	.....	.....
For compensation of State Printer	-	-	-	-	-	10,922 99	4,282 27	6,640 72	.....
For Contingent Fund of Attorney General	-	-	-	-	-	729 00	700 00	29 00	.....
For publishing proposed Amendments to the Constitution	-	-	-	-	-	5,484 91	1,119 25	4,365 91	.....
For publishing notices concerning Wagon Roads, Swamp and Overflowed Lands, etc.	-	-	-	-	-	7,433 54	2,970 78	4,462 76	.....
For publishing notices of sales of State Land Commissioners, viz.:	-	-	-	-	-	2,265 75	1,908 00	357 75	.....
San Joaquin Republican	-	-	-	-	-	2,120 00	1,912 50	207 50	.....
San Francisco Citizen	-	-	-	-	-				.....

*Appropriation of April 21, 1856.*

For transportation of Prisoners	-	-	-	-	-	22,448 00	17,634 75	4,813 25	.....
For translating certain Documents	-	-	-	-	-	8,200 00	4,948 82	3,251 18	.....

*Appropriation of April 19, 1856.*

For pay of Senate Officers and Clerks	-	-	-	-	-	1,071 00	1,071 00	.....	.....
For salary of Commissioners of the War Debt	-	-	-	-	-	1,500 00	1,500 00	.....	.....
For salary of Clerk of the Board of War Commissioners	-	-	-	-	-	1,800 00	1,800 00	.....	.....
For salary of Supreme Court Reporter	-	-	-	-	-	4,000 00	2,000 00	2,000 00	.....
For completion of Insane Asylum	-	-	-	-	-	40,000 00	39,999 98	02	.....

TABULAR STATEMENT—CONTINUED.

PURPOSE AND DATE OF ACT.	Amount of Appropriation.	Amount Expended.	Amount Unexpended.	Amount Overdrawn.
<i>Appropriation of March 21, 1856.</i>				
For lease of State Prison Property - - - - -	\$75,000 00	\$75,000 00		
<i>Appropriation of March 12, 1856.</i>				
For suppression of Indian hostilities in Klamath county - - - - -	15,000 00	7,919 03	7,080 97	
<i>Appropriation of April 18, 1856.</i>				
For State Capitol - - - - -	300,000 00	4,685 35	295,314 65	
<i>Appropriation of April 29, 1851.</i>				
For rewards for the apprehension of fugitives from justice - - - - -	1,000 00	1,000 00		
<i>Appropriation of April 28, 1852.</i>				
For pay and mileage of Presidential Electors - - - - -	452 00	452 00		
<i>Appropriation of May 7, 1855.</i>				
For salaries of State Prison Directors and Attaches - - - - -	200 00	200 00		
<i>Appropriation of January 28, 1857.</i>				
For postage and expressing for Eighth Session of the Legislature - - - - -	3,480 00	3,378 19	101 81	

*Appropriation of February 4, 1857.*

For arrest and suppression of armed banditti	-	-	-	5,000 00	5,000 00	.....
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*Appropriation of March 14, 1857.*

For relief of State Prison	-	-	-	5,000 00	5,000 00	.....
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*Appropriation of March 18, 1857.*

For salary of Governor	-	-	-	833 00	833 00	.....
For salary of Comptroller of State	-	-	-	375 00	375 00	.....
For salary of Treasurer of State	-	-	-	375 00	267 85	107 15
For salary of Secretary of State	-	-	-	292 00	291 66	34
For salary of Attorney General	-	-	-	167 00	166 66	34
For salary of Surveyor General	-	-	-	167 00	166 66	34
For salary of Quartermaster General	-	-	-	250 00	250 00	.....
For salary of Superintendent of Public Instruction.	-	-	-	292 00	291 66	34
For salary of Clerks in Comptroller's Office	-	-	-	1,080 00	1,080 00	.....
For salary of Clerks in the Treasurer's Office	-	-	-	540 00	319 13	220 87
For salary of Clerks in the Office of Secretary of State	-	-	-	810 00	810 00	.....
For salary of Supreme Judges	-	-	-	1,833 00	1,833 00	.....
For salary of District Judges	-	-	-	6,627 00	6,627 00	.....
For salary of Private Secretary of Governor	-	-	-	208 00	208 00	.....
For salary of Secretary of Supreme Court	-	-	-	150 00	150 00	.....
For contingent expenses and office rent of Governor	-	-	-	150 00	125 00	25 00
For Contingent Fund of Governor, "special"	-	-	-	417 00	416 00	1 00
For contingent expenses Comptroller's Office	-	-	-	150 00	124 60	25 40
For contingent expenses Treasurer's Office	-	-	-	200 00	200 00	.....
For contingent expenses Secretary of State	-	-	-	100 00	100 00	.....
For contingent expenses Quartermaster General	-	-	-	100 00	36 17	63 83
For contingent expenses Superintendent of Public Instruction	-	-	-	350 00	299 23	50 77

TABULAR STATEMENT—CONTINUED.

PURPOSE AND DATE OF ACT.	Amount of Appropriation.	Amount Expended.	Amount Unexpended.	Amount Overdrawn.
For contingent expenses Surveyor General - - - - -	\$100 00	\$25 00	\$75 00	.....
For contingent expenses Supreme Court - - - - -	200 00	190 75	9 25	.....
For contingent expenses Senate - - - - -	1,400 00	1,400 00	.....	.....
For contingent expenses Assembly - - - - -	1,600 00	1,515 77	84 23	.....
For transportation of Prisoners - - - - -	3,000 00	2,841 25	158 75	.....
For Insane Asylum - - - - -	2,917 00	2,917 00	.....	.....
For salaries of Physicians Insane Asylum - - - - -	667 00	666 66	00 34	.....
For pay of Officers and Clerks of Senate - - - - -	7,602 00	7,602 00	.....	.....
For pay of Officers and Clerks of Assembly - - - - -	5,844 00	5,844 00	.....	.....
For pay and mileage of Lieutenant Governor and Senators - - - - -	16,044 00	15,996 00	48 00	.....
For pay and mileage of Members of Assembly - - - - -	33,684 00	33,684 00	.....	.....
For contingents of State Library - - - - -	50 00	47 75	2 25	.....
For stationery, fuel, lights, etc., for Legislature - - - - -	480 00	390 00	90 00	.....
For rent of State House - - - - -	1,000 00	1,000 00	.....	.....
For Draughtsman of Surveyor General - - - - -	250 00	250 00	.....	.....
For printing, paper and binding - - - - -	10,000 00	10,000 00	.....	.....
For contingent fund of Board of Examiners - - - - -	50 00	50 00	.....	.....
For salary as Clerk to Board of Examiners - - - - -	50 00	50 00	.....	.....
For costs and expenses, other than counsel fees, where the State is a party - - - - -	250 00	250 00	.....	.....
For official advertisements - - - - -	1,000 00	487 73	512 27	.....
For rent of Supreme Court room - - - - -	417 00	416 66	00 34	.....
For rent of State Library rooms - - - - -	150 00	150 00	.....	.....
For pay for copying for Assembly - - - - -	1,200 00	1,200 00	.....	.....
For salary of Governor - - - - -	3,334 00	2,499 99	834 01	.....

*Appropriation of April 30, 1857.*



For salary of Comptroller of State	-	-	-	-	1,500 00	1,125 00	375 00	.....
For salary of Treasurer of State	-	-	-	-	1,500 00	1,125 00	375 00	.....
For salary of Secretary of State	-	-	-	-	1,167 00	874 98	292 02	.....
For salary of Attorney General	-	-	-	-	667 00	166 66	500 34	.....
For salary of Surveyor General	-	-	-	-	667 00	333 32	333 68	.....
For Quartermaster General	-	-	-	-	1,000 00	250 00	750 00	.....
<i>Appropriation of March 18, 1857—Continued.</i>								
For salaries of Clerks in Comptroller's Office	-	-	-	-	4,320 00	1,880 00	2,440 00	.....
For salaries of Clerks in Treasurer's Office	-	-	-	-	2,160 00	1,000 00	1,160 00	.....
For salaries of Clerks in Secretary of State's Office	-	-	-	-	3,260 00	810 00	2,450 00	.....
For salaries of Supreme Judges	-	-	-	-	7,334 00	1,333 32	6,000 68	.....
For salaries of District Judges	-	-	-	-	25,000 00	1,501 30	23,498 70	.....
For salary of Private Secretary to the Governor	-	-	-	-	834 00	416 66	417 34	.....
For salary of Secretary of Supreme Court	-	-	-	-	250 00	150 00	100 00	.....
For rent of Governor's Office	-	-	-	-	200 00	50 00	150 00	.....
For Contingent Fund of Governor "special"	-	-	-	-	1,666 00	1,217 00	449 00	.....
For Contingent Fund of Comptroller's Office	-	-	-	-	600 00	126 35	473 65	.....
For Contingent Fund of Treasurer's Office	-	-	-	-	800 00	197 86	602 14	.....
For Contingent Fund of Attorney General's Office, and for expenses in suits where the State is a party	-	-	-	-	400 00	36 40	363 63	.....
For Contingent Fund of Supreme Court	-	-	-	-	600 00	46 00	554 00	.....
For Contingent Fund of Senate	-	-	-	-	8,000 00	287 20	7,712 80	.....
For Contingent Fund of Assembly	-	-	-	-	10,000 00	133 63	9,866 37	.....
For pay of Senate Officers and Clerks	-	-	-	-	12,000 00	2,826 00	9,174 00	.....
For pay of Senate Officers and Clerks (deficiency)	-	-	-	-	292 00	112 00	180 00	.....
For contingents of Senate (deficiency)	-	-	-	-	100 00	91 90	8 10	.....
For per diem of Officers and Clerks of Assembly	-	-	-	-	10,000 00	2,343 00	7,657 00	.....
For Contingent Fund of the Assembly (deficiency)	-	-	-	-	200 00	200 00	.....	.....
For Printing Experts (deficiency)	-	-	-	-	100 00	100 00	.....	.....
For per diem and mileage of Senators	-	-	-	-	18,500 00	5,072 00	13,428 00	.....
For per diem and mileage of Assemblymen	-	-	-	-	32,000 00	9,876 00	22,124 00	.....

TABULAR STATEMENT—CONTINUED.

PURPOSE AND DATE OF ACT.	Amount of Appropriation.	Amount Expended.	Amount Unexpended.	Amount Overdrawn.
<i>Appropriation of March 18, 1857—Continued.</i>				
For stationery, fuel, lights, etc., for the Legislature - - - - -	\$2,300 00	\$150 00	\$2,150 00	.....
For printing, paper, and official advertisements - - - - -	40,000 00	453 70	39,546 30	.....
For contingent expenses of State Prison Commissioners - - - - -	100 00	100 00	.....	.....
For salaries of Secretary of State and Attorney General as members of Board of Examiners - - - - -	500 00	200 00	300 00	.....
For salary of Clerk to Board of Examiners - - - - -	200 00	50 00	150 00	.....
For pay for copying for Assembly - - - - -	3,500 00	717 20	2,782 80	.....
For salaries of District Judges (deficiency) - - - - -	3,714 00	3,104 31	609 69	.....
<i>Act of May 1, 1852.</i>				
For State Library - - - - -	5,223 27	5,223 27	.....	.....
<i>Act of April 25, 1855.</i>				
For Military Fund - - - - -	1,517 75	1,517 75	.....	.....
<i>Miscellaneous Appropriations.</i>				
For State Agricultural Society, annual appropriation, May 13, 1854 - - - - -	5,000 00	5,000 00	.....	.....
For Britton & Rey, preparing bonds of 1856, Act of April 9, 1856 - - - - -	1,000 00	1,000 00	.....	.....
For H. P. Hopburn, Supreme Court Reports, Act of March 10, 1856 - - - - -	8,000 00	8,000 00	.....	.....
For Richard Cole, translating Laws into Chinese, Act of February 11, 1856 - - - - -	210 00	210 00	.....	.....
For Claiborne Hubbard, contingents of Comptroller's Office, Act April 30, 1857 - - - - -	50 00	50 00	.....	.....
For E. G. Vaughan, contingents of Comptroller's Office, Act of April 30, 1857 - - - - -	29 57	29 57	.....	.....
For Wm. Coates, Official Reporter of Senate, Act of April 30, 1857 - - - - -	378 00	378 00	.....	.....

For Daniel McLaren, salary as Clerk in Office of Surveyor General, Act of April 30, 1857 - - - - -  
 For W. M. Botts, services in Treasurer's Office, Act of April 30, 1857 - -  
 For Sacramento Water Works, water for January, Act of April 30, 1857 -  
 For M. Fennel, labor on Insane Asylum, Act of April 30, 1857 - -  
 For E. M. Skaggs, rent of Committee Rooms, Act of April 30, 1857 - -  
 For Cornelius Brown, Porter of Senate, Act of April 30, 1857 - -  
 For B. F. Hastings & Co., rent of Supreme Court Room, Act of April 30, 1857  
 For J. P. Sharkey, contingents of Senate, Act of April 30, 1857 - -  
 For J. Neely Johnson, rent of Governor's Office, Act of April 30, 1857 -  
 For C. H. Bradford, costs of suit where the State is party, Act of April 30, 1857  
 For Jonathan Nichols, rent of State Library Rooms, Act of April 30, 1857 -  
 For Hiller & Andrews, rent of Office of Surveyor General, Act of April 30, 1857  
 For E. F. Burton, salary as Comptroller *ad interim*, Act of April 30, 1857 -  
 For Claiborne Hubbard, contingents of Comptroller's Office, Act April 30, 1857  
 For Britton & Rey, furnishing warrants for Comptroller, Act of April 30, 1857

208 00	208 00	208 00
200 00	200 00	200 00
50 00	50 00	50 00
1,400 00	1,400 00	1,400 00
30 00	30 00	30 00
72 00	72 00	72 00
416 66	416 66	416 66
189 00	189 00	189 00
60 00	60 00	60 00
130 00	130 00	130 00
150 00	150 00	150 00
100 00	100 00	100 00
375 00	375 00	375 00
50 00	50 00	50 00
375 00	375 00	375 00
		\$719,103 50
Total amount of expenditures.....		



## ABSTRACT,

*Of Property of all kinds Assessed for the Year 1857, and the Amount of State Tax due thereon.*

COUNTIES.	No. of acres of land.	Value of the same.	Value of improvements thereon.	Value of City and Town Lots.	Value of improvements thereon.	Value of personal prop- erty.	Total value of Property.	State Tax there- on at 70c. on each \$100.
Alameda .....	166,988	\$1,358,466 00	\$331,500 00	\$175,513	\$161,090	\$994,267 00	\$3,020,836 00	\$21,150 50
Amador .....	.....	341,509 34	290,745 00	.....	.....	1,448,980 00	2,258,494 34	15,809 32
Butte .....	238,359	539,276 00	1,200,206 00	168,947	207,308	1,829,125 00	3,944,862 00	27,614 03
Calaveras .....	27,095	10,390 00	212,175 00	93,730	502,690	1,666,813 00	2,485,798 00	17,400 14
Colusa .....	.....	.....	.....	.....	.....	.....	.....	.....
Contra Costa .....	.....	550,700 00	246,668 00	.....	.....	1,052,037 00	1,869,405 00	13,085 84
Del Norte .....	13,344	93,776 00	98,954 00	.....	27,240	287,195 00	507,165 00	3,554 96
El Dorado .....	.....	219,523 00	715,205 00	.....	.....	2,194,790 00	3,129,518 00	21,906 62
Fresno .....	49,616	78,067 00	56,105 00	.....	5,750	243,735 00	383,730 00	2,686 22
Humboldt .....	11,621	34,571 00	14,520 00	55,181	146,593	583,785 00	834,650 00	5,842 50
Klamath .....	.....	.....	.....	.....	.....	.....	.....	.....
Los Angeles .....	.....	.....	.....	.....	.....	.....	.....	.....
Marin .....	332,012	540,576 00	40,050 00	.....	4,810	774,988 00	1,473,187 00	10,312 41
Mariposa .....	45,500	1,070,000 00	414,770 00	.....	.....	552,819 00	2,037,589 00	14,263 12
Merced .....	228,972	54,204 00	87,140 00	.....	.....	670,377 00	811,721 00	5,682 35
Monterey .....	804,446	253,398 50	52,390 00	11,172	61,216	503,011 50	881,188 00	6,168 31
Napa .....	218,521	775,671 00	300,955 00	29,375	93,440	1,055,960 00	2,255,401 00	15,766 71
Nevada .....	.....	.....	.....	.....	.....	.....	.....	.....
Placer .....	.....	.....	.....	.....	.....	.....	.....	.....
Plumas .....	.....	134,370 00	.....	.....	.....	1,199,238 00	3,037,946 00	21,265 23
Sacramento .....	388,811	983,561 00	662,030 00	3,421,780	2,186,111	3,940,463 00	11,193,945 00	78,357 61



[G]

## S T A T E M E N T ,

*Showing a General Abstract of Assessments of Real and Personal Property, from the Organization of the State Government to the present Year, 1857, inclusive.*

COUNTIES.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.
Alameda.....	.....	.....	.....	\$3,472,837	\$4,388,179	\$3,558,360 00	\$2,599,751 00	\$3,020,836 00
Amador.....	.....	.....	.....	.....	1,038,443	.....	1,740,326 00	2,258,494 34
Butte .....	\$268,294	\$533,952	\$853,955	2,024,142	1,895,526	2,267,209 00	2,347,719 00	3,944,862 00
Calaveras .....	266,078	.....	808,450	2,129,966	.....	1,927,977 00	1,975,067 00	2,485,798 00
Colusa.....	.....	367,661	966,840	1,470,131	1,505,178	1,259,053 10	1,476,317 49	.....
Contra Costa....	2,002,410	1,753,648	3,236,198	1,995,192	2,330,084	1,710,408 00	1,580,136 00	1,869,405 00
Del Norte.....	.....	.....	.....	.....	.....	.....	.....	507,165 00
El Dorado.....	572,410	697,651	1,831,801	3,660,369	3,278,324	2,530,488 00	3,018,398 00	3,129,518 00
Fresno .....	.....	.....	.....	.....	.....	.....	406,413 50	383,730 00
Humboldt.....	.....	.....	.....	.....	826,119	467,161 00	642,355 00	834,650 00
Klamath.....	.....	19,770	65,370	299,984	393,218	.....	.....	.....
Los Angeles....	1,931,403	2,187,992	2,256,125	3,193,487	3,659,040	2,561,359 00	.....	.....
Marin .....	1,006,893	756,375	932,192	.....	.....	901,589 00	1,005,315 00	1,473,187 00
Mariposa.....	.....	160,435	1,216,557	1,681,422	1,676,583	1,262,987 00	1,931,647 00	2,037,589 00
Merced .....	.....	.....	.....	.....	.....	495,017 00	667,672 00	811,721 00
Monterey .....	3,631,213	1,638,308	1,546,920	1,607,168	1,763,787	1,189,875 00	1,800,182 00	881,188 00
Napa .....	918,164	803,140	1,289,048	1,527,902	1,404,206	2,125,615 00	2,015,205 00	2,255,401 00
Nevada .....	.....	686,080	956,925	.....	1,750,810	2,304,019 00	2,558,515 00	3,037,946 00
Placer .....	.....	304,192	1,365,985	1,196,975	1,551,757	1,804,089 00	2,173,362 87	2,226,236 38
Plumas.....	.....	.....	.....	.....	311,003	.....	.....	1,333,605 00
Sacramento.....	8,947,454	6,331,024	7,232,026	8,252,920	8,775,966	9,297,634 00	10,585,821 00	11,193,945 00
San Bernardino.	.....	.....	.....	304,086	305,232	312,778 19	.....	.....
San Diego.....	396,810	820,811	424,637	.....	699,859	.....	.....	.....

San Francisco....	21,621,184	17,794,711	18,481,737	32,377,893	35,796,475	32,841,027	76	30,368,254	00	39,706,105	00
San Joaquin....	1,821,489	1,715,189	2,813,404	4,943,891	4,174,708	4,064,470	00	3,814,968	00	4,102,815	00
San Luis Obispo	577,618	460,530	512,324	421,750	516,441	380,228	00	498,476	11	666,870	50
San Mateo.....	.....	.....	.....	.....	.....	.....	.....	1,320,333	00	1,385,217	60
Santa Barbara...	992,676	821,000	989,686	1,136,654	952,065	837,035	00	.....	.....	1,024,643	00
Santa Clara.....	4,883,295	2,934,183	3,292,153	4,428,976	6,582,062	5,443,780	00	5,771,417	00	4,504,328	00
Santa Cruz.....	.....	1,184,821	1,095,094	1,085,400	1,470,878	1,004,971	00	1,148,249	00	.....	.....
Shasta.....	.....	497,025	645,545	968,584	1,064,362	1,658,401	00	1,866,470	00	1,986,864	00
Sierra.....	.....	.....	657,976	777,784	1,389,042	.....	.....	.....	.....	2,218,026	00
Siskiyou.....	.....	.....	478,988	917,190	1,126,763	2,218,481	00	.....	.....	2,801,370	00
Solano.....	2,709,246	1,178,756	2,896,795	3,851,048	4,580,498	2,794,372	00	.....	.....	2,502,432	00
Sonoma.....	1,187,672	1,627,572	1,657,091	2,880,309	4,098,630	3,941,173	00	.....	.....	4,346,320	00
Stanislaus.....	.....	.....	.....	.....	577,973	642,988	00	642,422	00	665,182	00
Sutter.....	1,292,618	741,732	617,894	755,304	1,243,148	1,703,647	00	1,817,104	00	1,536,746	00
Tehama.....	.....	.....	.....	.....	.....	.....	.....	1,004,075	00	1,741,331	00
Trinity.....	.....	215,812	233,873	526,615	477,055	642,077	50	.....	.....	1,231,056	00
Tulare.....	.....	.....	.....	199,914	193,137	.....	.....	.....	.....	488,821	00
Tuolumne.....	.....	504,927	1,620,911	2,374,861	2,463,986	2,423,510	00	2,564,318	00	2,894,950	00
Yolo.....	269,702	599,343	1,321,969	1,177,625	1,990,576	2,205,610	00	.....	.....	2,235,650	00
Yuba.....	2,374,060	1,894,412	2,280,906	3,695,267	4,945,517	5,109,804	00	5,667,152	00	6,335,488	00
Totals.....	\$57,670,689	\$49,231,052	\$64,588,375	\$95,335,646	\$111,191,600	\$103,897,193	55	\$95,007,440	97	\$125,859,461	82

## [H]

## STATEMENT OF THE DIFFERENT FUNDS.

Cash on hand in State Treasury, June 30, 1857, to the credit of—

General Fund,	-	-	-	-	-	-	-	-	-	\$8,081 27
School Fund, -	-	-	-	-	-	-	-	-	-	13,774 84
Military Fund,	-	-	-	-	-	-	-	-	-	247 51
Library Fund, -	-	-	-	-	-	-	-	-	-	2,121 06
Hospital Fund,*	-	-	-	-	-	-	-	-	-	3,849 76
Estates of Deceased Persons,	-	-	-	-	-	-	-	-	-	3,208 38

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Amount in Treasury as per Comptroller's Books, June 30, 1857, - \$31,282 82

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\* Warrant drawn on this Fund (Hospital), 1857, in favor of the Treasurer of Yuba county, for \$400 15, is reported lost, and consequently not paid at the Treasury, hence the discrepancy with the Treasurer's Report.



[I] ESTIMATE OF RECEIPTS

*Appropriated to General Fund of the Ninth Fiscal Year, ending June 30, 1858.*

Property tax, . . . . .	\$700,000
Poll tax, . . . . .	75,000
Foreign miners' licenses, . . . . .	150,000
Swamp and overflowed lands, . . . . .	7,000
State licenses, . . . . .	125,000
Passenger brokers' licenses, . . . . .	19,000
Stamp tax, . . . . .	125,000
Total, . . . . .	<u>\$1,201,000</u>



[J]

## ESTIMATE

*Of Expenditures for the Ninth Fiscal Year, ending June 30, 1858.*

To salary of Governor, . . . . .	\$8,000
To salary of Comptroller of State, . . . . .	4,000
To salary of Treasurer of State, . . . . .	4,000
To salary of Secretary of State, . . . . .	3,500
To salary of Superintendent of Public Instruction, . . . . .	3,500
To salary of Attorney General, . . . . .	2,000
To salary of Surveyor General, . . . . .	2,000
To salary of Quartermaster General, . . . . .	2,750
To salary of Governor's Private Secretary, . . . . .	2,250
To salary of Justices of Supreme Court, . . . . .	24,000
To salary of District Judges, . . . . .	79,500
To salaries of clerks in Comptroller's office, . . . . .	9,600
To salaries of clerks in Treasurer's office, . . . . .	4,800
To salaries of clerks in Secretary of State's office, . . . . .	7,200
For per diem and mileage of Assemblymen, . . . . .	77,177
For per diem and mileage of Senators, . . . . .	33,820
For pay of officers and attachés of Assembly, . . . . .	24,000
For pay of officers and attachés of Senate, . . . . .	20,000
For stationery, fuel, lights, etc., for Legislature, . . . . .	10,000
For contingent expenses of Senate, . . . . .	5,000
For contingent expenses of Assembly, . . . . .	9,000
For contingent expenses of Supreme Court, . . . . .	3,000
For rent of State Library and Supreme Court rooms, . . . . .	5,400
For contingent expenses of Comptroller's office, . . . . .	2,000
For contingent expenses of Treasurer's office, . . . . .	2,000
For contingent expenses of Secretary of State's office, . . . . .	1,200
For contingents and rent of office of Superintendent of Public Instruction, . . . . .	2,000
For contingent expenses of Surveyor General's office, . . . . .	2,000
For draughtsman in office of Surveyor General, . . . . .	2,400
For contingent expenses of Attorney General's office, . . . . .	600
For rent of Attorney General's office, . . . . .	360
For contingent expenses of Quartermaster General's office, . . . . .	360
For contingent expenses of Governor's office, . . . . .	2,500
For special contingent of Governor's office, . . . . .	5,000
For support of Insane Asylum, . . . . .	40,000
For salaries of physicians of Insane Asylum, . . . . .	8,000
For transportation of prisoners, . . . . .	28,000
For lessee of State Prison, . . . . .	120,000
For distributing laws and journals, . . . . .	600
For translating laws, . . . . .	1,000
For prosecuting delinquents, . . . . .	3,000
For indexing laws and journals, . . . . .	600
For printing, paper and official advertisements, . . . . .	50,000
For rent of State House, . . . . .	12,000
For expenses of Stamp Act, . . . . .	8,000
For salaries of members of Board of Examiners, . . . . .	1,200
Carried forward, . . . . .	\$638,517

Brought forward, . . . . .	\$638,517
For salary of clerk to Board of Examiners, . . . . .	600
For experts for examining printing accounts, . . . . .	600
For contingent expenses of State Library, . . . . .	600
For pay of board of State Prison Commissioners, . . . . .	500
For support of common schools, . . . . .	32,950
For expressing for Comptroller's office, . . . . .	1,500
	<hr/>
Total, . . . . .	\$674,067





[M]

## REPORT

*Of the Net Receipts from the Stamp Tax for the Six Months ending December 31, 1857.*

DATE.	SOURCES FROM WHENCE RECEIVED.	Bills of Exchange.....	Letters of Credit or Certificates of Deposit.	Policies of Insurance.	Passenger Stamp Tax.	Attorney's Stamp Tax.	TOTALS.
1857.							
July .....	Cash received in Comptroller's Office .....	\$7,115 56	.....	\$998 10	\$2,714 00	\$30 00	\$11,257 66
August .....	Cash received in Comptroller's Office .....	4,011 03	.....	240 12	2,346 00	10 00	6,607 15
September.....	Cash received in Comptroller's Office .....	4,363 58	.....	956 80	2,364 40	.....	7,684 78
October .....	Cash received in Comptroller's Office .....	2,917 01	.....	558 44	2,760 00	60 00	6,295 45
November .....	Cash received in Comptroller's Office .....	2,416 11	.....	669 02	1,840 00	.....	4,925 13
December .....	Cash received in Comptroller's Office .....	905 96	.....	290 20	1,058 00	.....	2,254 16
July to Decem.	Totals received in Comptroller's Office .....	\$22,129 25	.....	\$3,712 68	\$13,082 40	\$100 00	\$39,024 33
July to Decem.	Cash received from San Francisco County.	11,320 86	.....	1,730 15	134 83	.....	13,185 84
July to Decem.	Cash received from San Joaquin County.	146 50	.....	.....	.....	.....	146 50
July to Decem.	Cash received from Yuba County .....	646 54	.....	.....	.....	.....	646 54
July to Decem.	Grand Totals .....	\$34,243 15	.....	\$5,442 83	\$13,217 23	\$100 00	\$53,003 21

Total amount expended in carrying out the Stamp Act from July 1st to January 1st, 1858, Salaries, Stamps, Printing and Paper.....\$4,332 58





## COUNTIES OF







GRAND TOTAL	\$112,234.09
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ANNUAL REPORT  
OF  
THE TREASURER OF STATE,  
FOR 1857.

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JOHN O'MEARA, STATE PRINTER.

# TREASURER'S REPORT.

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OFFICE OF THE TREASURER OF THE STATE OF CALIFORNIA. }  
December 15th, 1857. }

To His Excellency,  
J. NEELY JOHNSON,  
*Governor of the State of California :*

SIR:—In obedience to the requirements of the statutes of the state, I have the honor to transmit to you herewith reports of the operations of the state treasury, during the fiscal year ending on the 30th day of June, A. D. 1857.

I hand you also herewith a report of the operations of this office from the first day of July, 1857, to this date.

The amount of the civil bonds of the state outstanding, as shown by the books of this office, is three millions two hundred and twenty-eight thousand and eight hundred dollars. The interest on these bonds up to the first day of January next, which will be unpaid, and to be funded, will be two hundred and twenty-six thousand and sixteen dollars.

Some of the temporary state loan bonds are still outstanding, and there is no appropriation out of which they can be paid. The principal of those outstanding, amounts to sixteen hundred and fifty dollars. The interest on these bonds, up to the first day of January, 1853, (at which time, by the provisions of the fourteenth section of the act to fund the indebtedness of the state and to provide for the payment of the three per cent. bonds, approved May 1, 1852, the interest on these bonds was to cease,) amounts to about the sum of seventeen hundred and fifty dollars. I would therefore suggest that you recommend to the Legislature an appropriation of the sum of thirty-four hundred dollars for the payment of the principal and interest of these bonds.

Up to this date, bonds to the amount of two hundred and one thousand and five hundred dollars have been issued under the provisions of the act of April 25, 1857, "authorizing the Treasurer of State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain counties in this state."

School land warrants to the amount of two hundred and thirty seven thousand four hundred and forty acres have been issued up to this date, according to the books of this office.

By the provisions of the eighth section of the "act to provide for the sale of the swamp and overflowed lands belonging to this state," approved April 28, 1855,

it is made the duty of the State Treasurer, upon the payment of the purchase money, or the interest thereon, to certify the same to the Secretary of State. To obtain the information necessary to enable the Treasurer to make this certificate, he has to apply at the office of the Comptroller.

I would therefore suggest that you recommend to the Legislature to modify the law so as to require the Comptroller, instead of the Treasurer, to certify to the Secretary of State.

I have the honor to be your obedient servant,

JAMES L. ENGLISH,  
Treasurer of State.

OPERATIONS OF THE STATE TREASURY

FROM

JULY 1, 1856. TO FEBR'Y 11, 1857.





TABULAR STATEMENT OF RECEIPTS INTO THE STATE TREASURY

FROM THE 1ST OF JULY, 1856, TO THE 11TH OF FEBRUARY, 1857, INCLUSIVE.

Dr.

## GENERAL FUND.

1856.	To cash paid for the redemption of warrants drawn on this fund, from the 1st July, 1856, to 11th February, 1857, inclusive, - - - -	\$244,757 82
July 12	To cash paid for the redemption of certificates of balance, - - - - -	106 42
September 2	To cash paid bond No. 38, Temporary State Loan, principal and interest, D. S. & Church, - -	1,249 00
October 18	To transfer to Library Fund, order of Comptroller,	165 00
November 7	To Temporary Loan, as follows :	
	Interest Fund, 1855, July and January interest and exchange, - - - - -	40,925 72
	Interest Fund, 1852, July and January interest and exchange, - - - - -	65,429 09
	Interest Fund, 1856, January interest and exchange, - - - - -	16,541 10
December 6	To transfer to School Fund, for error in Comptroller's order, settlement with Sierra county, -	94 72
1857.		
January 10	To Temporary Loan as follows :	
	Interest Fund, 1852, July interest, 1857, - -	25,056 55
	Interest Fund, 1855, July interest, 1857, - -	13,678 76
	Interest Fund, 1856, July interest, 1857, - -	24,228 64
February 26	To cash paid Jas. L. English, Treasurer, - -	2,550 76
	Balance, - - - - -	25,558 23
		<hr/> \$460,341 81

Dr.

## HOSPITAL FUND.

	To cash paid for the redemption of registered warrants drawn on this fund, from July 1st, 1856, to February 11th, 1857, inclusive, - - -	\$543 42
February 26	To cash paid Jas. L. English, Treasurer, - -	9,318 18
	Balance, - - - - -	105 50
		<hr/> \$9,967 10

## GENERAL FUND.

Cr.

1856.			
July	1	By balance, - - - - -	\$39,418 49
		By cash received into this fund from July 1st, 1856, to February 11, 1857, inclusive. (See tabular statement,) - - - - -	398,453 01
February	7	By amount received for sale of school land warrants, in warrants, - - - - -	4,480 00
February	7	By transfer from School Fund, to correct errors in school land warrants, - - - - -	2,240 00
February	7	By amount Palmer, Cook & Co.'s draft on J. Cook, New York, paid to H. Bates in September, 1856, - - - - -	15,000 00
February	7	By exchange on above, \$15,000 erroneously charged off in November, 1856, - - - - -	450 00
February	7	By transfer of certificates of balance to close the account, - - - - -	300 31
			<hr/>
			\$460,341 81

## HOSPITAL FUND.

Cr.

July	1	By balance, - - - - -	\$3,834 10
		By cash received into this fund from July 1st, 1856, to February 11th, 1857, inclusive. (See tabular statement,) - - - - -	6,033 00
Novem'r	12	By error in charging warrant No. 1,002, at \$1,228 33, should be \$1,128 33, - - - - -	100 00
			<hr/>
			\$9,967 10

DR.

## SCHOOL FUND.

	To cash paid for the redemption of warrants drawn on this fund from July 1st, 1856, to February 11th, 1857, inclusive, - - - - -	\$84,124 74
February 11	To transfer to General Fund to correct errors in crediting school land warrants, - - -	2,240 00
February 26	To cash paid Jas. L. English, Treasurer, - -	1,085 22
	Balance, - - - - -	9,712 64
		<hr/>
		\$97,162 60

DR.

## MILITARY FUND.

	To cash paid for the redemption of warrants drawn on this fund from July 1st, 1856, to February 11th, 1857, inclusive, - - - - -	\$1,864 75
February 26	To cash paid Jas. L. English, Treasurer, - -	2,279 99
	Balance, - - - - -	901 30
		<hr/>
		\$5,046 04

## SCHOOL FUND.

CR.

1856.			
July	1	By balance, - - - - -	\$43,144 41
		By cash received into this fund from July 1st, 1856, to February 11th, 1857, inclusive. (See tabular statement,) - - - - -	37,605 07
December	6	By transfer from General Fund, for error that belonged to this fund in settlement with Sierra county, - - - - -	94 72
February	11	By transfer from Interest Fund of 1852, being amount due from said fund for interest on receipts from sale of school land warrants, - - -	16,318 40
			<hr/> \$97,162 60

## MILITARY FUND.

CR.

1856.			
July	1	By balance, - - - - -	\$192 64
		By cash received into this fund from July 1st, 1856, to February 11th, 1857, inclusive. (See tabular statement,) - - - - -	4,853 40
			<hr/> \$5,046 04

DR.

## LIBRARY FUND.

	To cash paid for the redemption of warrants drawn on this fund from July 1st, 1856, to February 11th, 1857, inclusive, - - - - -	\$5,223 27
February 26	To cash paid Jas. L. English, Treasurer, - - -	746 06
		<hr/>
		\$5,969 33

DR.

## ESTATES OF DECEASED PERSONS.

1857.		
February 26	To cash paid Jas. L. English, Treasurer, - - -	\$89 09

DR.

## INTEREST TAX FUND, 1851.

1856.		
November.	To cash remitted by Wells, Fargo & Co., to pay July interest and exchange, - - - - -	\$6,180 00
November.	To cash remitted by Wells Fargo & Co., to pay 1857. January interest and exchange, - - - - -	6,180 00
January 10	To cash remitted by Pacific Express, to pay July, 1857, interest and exchange, - - - - -	5,180 90
February 26	To cash paid Jas. L. English, Treasurer, - - -	42,814 63
	Balance, - - - - -	4,071 52
		<hr/>
		\$64,427 00



## LIBRARY FUND.

CR.

1856.			
July	1	By balance, - - - - -	\$4,354 33
		By cash received into this fund from July 1st, 1856, to February 11th, 1857, inclusive. (See tabular statement,) - - - - -	1,450 00
October	18	By transfer from General Fund, by order of Comptroller, - - - - -	165 00
			<hr/> \$5,969 00

## ESTATES OF DECEASED PERSONS.

CR.

1856.			
July	1	By balance, - - - - -	\$89 09

## INTEREST TAX FUND, 1851.

CR.

1856.			
July	1	By balance, - - - - -	\$32,714 03
		By cash received into this fund from July 1, 1856, to February 11, 1857, inclusive. (See tabular statement.) - - - - -	31,713 02
			<hr/> \$64,427 05

DR.

## INTEREST TAX FUND, 1852.

July 1	To balance overdrawn, - - - - -	\$11,352 93
November.	To cash remitted by Wells, Fargo & Co., to pay July interest and exchange, - - - - -	49,440 00
November. 1857.	To cash remitted by Wells, Fargo & Co., to pay January interest and exchange, - - - - -	49,440 00
January 10	To cash remitted by Pacific Express to pay July, 1857, interest and exchange, - - - - -	50,095 08
February 11	To transfer to School Fund by order of Comp- troller, being amount due that fund for interest on receipts for sale of school land warrants, - - - - -	16,318 40
February 26	To cash paid Jas. L. English, Treasurer, - - - - -	2,025 17
		<hr/> \$178,671 58

DR.

## INTEREST TAX FUND, 1855.

November.	To cash remitted by Wells, Fargo & Co., to pay July interest and exchange. - - - - -	\$31,930 00
November. 1857.	To cash remitted by Wells, Fargo & Co., to pay January interest and exchange, - - - - -	31,930 00
January 10	To cash remitted by Pacific Express, to pay July, 1857, interest and exchange, - - - - -	25,235 00
February 26	To cash paid Jas. L. English, Treasurer, - - - - -	934 69
	Balance, - - - - -	4,885 82
		<hr/> \$94,915 51

## INTEREST TAX FUND, 1852.

CR.

	By cash received into this fund from July 1st, 1856, to February 11th, 1857, inclusive. (See tabular statement.)	\$82,453 40
November. 1857.	By borrowed from General Fund to pay July and January interest,	65,429 09
January 10	By borrowed from General Fund to pay July, 1857, interest,	25,056 55
	Balance overdrawn,	5,732 45
		<hr/>
		\$178,671 58

## INTEREST TAX FUND, 1855.

CR.

1856, July 1	By balance,	\$2,255 59
	By cash received into this fund from July 1st, 1856, to February 11th, 1857, inclusive. (See tabular statement.)	38,055 44
November.	By borrowed from General Fund to pay July and January interest,	40,925 72
January 10	By borrowed from General Fund to pay July, 1857, interest,	13,678 76
		<hr/>
		\$94,915 51

DR.

## INTEREST TAX FUND, 1856.

November.	To cash remitted by Wells, Fargo & Co., to pay January interest and exchange, - - -	\$36,050 00
January 10	To cash remitted by Pacific Express to pay July, 1857, interest and exchange, - - -	43,489 02
February 26	To cash paid Jas. L. English, Treasurer, - - -	1,557 82
	Balance, - - - - -	8,143 06
		<hr/> \$89,239 90

DR.

## STATE PROPERTY FUND.

1856.		
February 26	To cash paid Jas. L. English, Treasurer, - -	\$26 81

DR.

## INSANE ASYLUM.

1856.		
February 26	To cash paid Jas. L. English, Treasurer, - -	\$106 72

## INTEREST TAX FUND, 1856.

CR.

		By cash received into this fund from July 1st, 1856, to February 11th, 1857, inclusive. (See tabular statement.) - - - - -	\$48,470 16
November.		By borrowed from General Fund to pay January interest, - - - - -	16,541 10
January 10		By borrowed from General Fund to pay July, 1857, interest, - - - - -	24,228 64
			<hr/> \$89,239 90

## STATE PROPERTY FUND,

CR

1856.			
July	1	By balance, - - - - -	\$26 81

## INSANE ASYLUM.

CR.

1856.			
July	1	By balance, - - - - -	\$106 72

## STATE PRISON INTEREST FUND.

1856.		
Decem'r 22	To cash paid state prison bonds, to Robert Allen,	\$9,000 00
1857.		
February 26	To cash paid Jas. L. English, Treasurer, - -	4,653 50
	Balance, - - - - -	724 30
		<hr/>
		\$14,377 80

DR.

## SINKING FUND, 1851.

August 6	To cash paid for redemption of bonds Nos. 82, 88,	
	and 212, \$500 each, - - -	\$1,500 00
September 2	To cash paid for redemption of bond No. 442, and	
	interest, \$5 93, - - -	505 93
February 26	To cash paid Jas. L. English, Treasurer, - -	7,719 61
		<hr/>
		\$9,725 54

DR.

## CERTIFICATES OF BALANCE.

1857.		
February 11	To transfer to General Fund, to close this account,	\$300 31
		<hr/>
		\$300 31



## STATE PRISON INTEREST FUND.

CR.

1856.			
July	1	By balance, - - - - -	\$8,035 25
		By cash received into this fund from July 1, 1856, to February 11, 1857, inclusive. (See tabular statement.) - - - - -	6,342 52
			<u>\$14,377 80</u>

## SINKING FUND, 1851.

CR.

1856.			
July	1	By Balance, - - - - -	\$9,725 44
			<u>\$9,725 54</u>

## CERTIFICATES OF BALANCE.

CR.

1856.			
July	1	By balance, - - - - -	\$68 09
		By amount certificates of balance issued, to Feb- ruary 11, 1857, on school land warrants Nos. 507 to 511, inclusive, - - - - -	232 31
			<u>\$300 31</u>



## CASH.

CR.

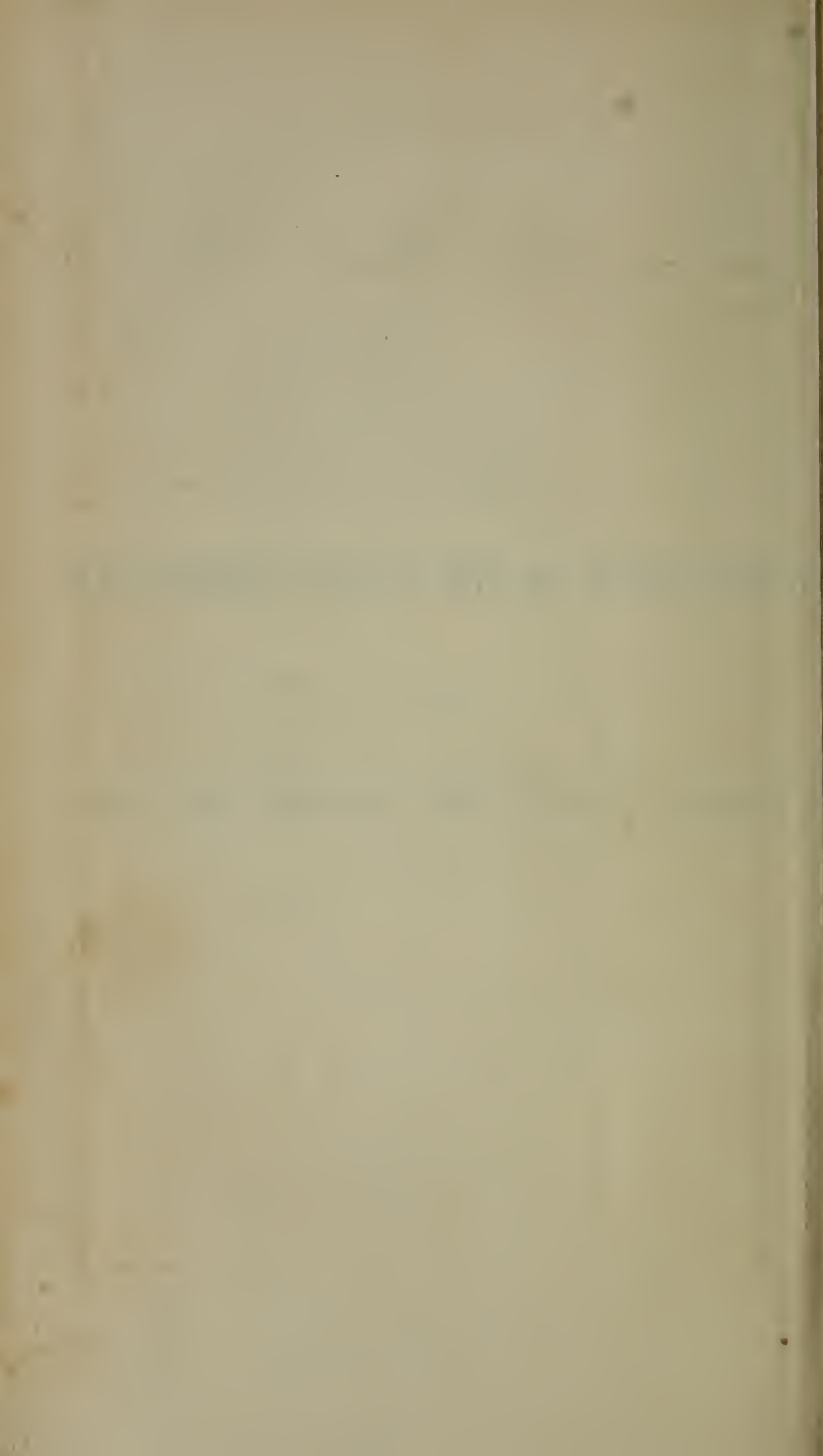
February 26	By amount paid, from July 1, 1856, to February 11, 1857, as per ledger account, - - -		\$888,703 33
	By cash paid Jas. L. English, Treasurer, the following amounts, to wit:		
	General Fund, - - - -	\$2,550 76	
	Hospital Fund, - - - -	9,318 18	
	School Fund, - - - -	1,085 22	
	Military Fund, - - - -	2,279 99	
	Library Fund, - - - -	746 06	
	Estates deceased persons, - - -	89 09	
	Interest Tax Fund, 1851, - - -	42,814 63	
	Interest Tax Fund, 1852, - - -	2,025 17	
	Interest Tax Fund, 1855, - - -	934 69	
	Interest Tax Fund, 1856, - - -	1,557 82	
	State Property Fund, - - - -	26 81	
	Insane Asylum, - - - -	106 72	
	State Prison Interest Fund, - - -	4,653 50	
	Sinking Fund, - - - -	7,719 61	
			75,903 25
February 26	By balances:		
	General Fund, - - - -	25,558 23	
	Hospital Fund, - - - -	105 50	
	School Fund, - - - -	9,712 64	
	Military Fund, - - - -	901 30	
	Interest Tax Fund, 1851, - - -	4,071 52	
	Interest Tax Fund, 1855, - - -	4,885 82	
	Interest Tax Fund, 1856, - - -	8,143 06	
	State Prison Fund, - - - -	724 30	
	Less interest Tax Fund of 1852, over-drawn, - - - -	\$54,102 37	
		5,732 45	48,369 92
			\$1,012,981 50
Balance due from Henry Bates, - - - -			\$48,369 92



OPERATIONS OF THE STATE TREASURY

FROM

FEB'Y 20, 1857, TO JUNE 30, 1857.





# TABULAR STATEMENT OF RECEIPTS INTO THE STATE TREASURY,

FROM FEBRUARY 20TH, 1857, TO JUNE 30TH, 1857, INCLUSIVE.

DATE.	FROM WHICH RECEIVED	General Fund	Hospital Fund	School Fund	Military Fund	Literary Fund	Emancipation of Slaves Fund	Interest Tax Fund of 1851	Interest Tax Fund of 1852	Interest Tax Fund of 1853	Interest Tax Fund of 1854	State Prison Inmate Fund	State Property Fund	Immigration Fund	Slaking Fund of 1855	TOTALS
1857.																
January	26 To receipt of Plumas County	\$6,000 00		\$467 57	\$281 86			\$100 50	\$495 30	\$278 00	\$284 00	\$38 10				\$8,000 20
	27 Treasurer of Nevada County	9,417 05		501 48				517 72	1,340 00	621 27	1,035 43	160 54				15,542 00
	28 Heavy Rates, per Com of Agr'ts	2,500 70	9,418 18	1,055 22	2,270 00	746 00	80 00	42,814 68	2,025 17	934 00	1,557 82	1,659 30	20 81	106 72	5,719 61	75,008 25
March	29 D. P. Douglas, Secretary of State		204 50			200 00										200 00
	4 A. G. Abell, Commissioner of Immigration															204 50
	14 Treasurer of Colusa County	5,765 50		257 72				350 65	905 00	451 58	719 30	71 93				8,570 00
	18 Treasurer of Solano County, for Swamp Lands	4 55														4 55
	18 Treasurer of Humboldt County	9 00		167 50	71 80			119 40	310 44	141 28	238 80	23 88				2,001 00
	20 Treasurer of Colusa County	4,947 71		290 00	45 72											4,882 43
	21 D. P. Douglas, Secretary of State					125 00										225 00
	31 Treasurer of San Luis Obispo County	1,072 12		130 85	17 46											2,120 43
	31 Treasurer of Sutter County	7 000 00														7,000 00
April	4 A. G. Abell, Commissioner of Immigration		344 00													344 00
	12 Treasurer of Fresno County	11 14 61		140 83	79 03											4,282 45
	26 Treasurer of Yuba County	9 11 00		251 32												6,162 41
	28 Treasurer of Sacramento County	16 74 52		1,034 13	281 44											18,029 89
	24 Treasurer of Sutter County	9 07 08		542 92												5,580 00
	30 J. P. Lee, account What at Monterey	20 00														20 00
May	1 D. P. Douglas, Secretary of State				200 00											200 00
	1 Treasurer of Tuolumne County	11,430 21		783 74												12,214 00
	4 H. W. Carpenter, State Telegraph	221 40														221 40
	9 Treasurer of El Dorado County	12,000 00														12,000 00
	12 Treasurer of Santa Clara County	5,427 20		160 54	6 00											3,594 79
	11 Treasurer of El Dorado County	5,716 07		849 81	100 36											4,056 82
	14 A. G. Abell, Commissioner of Immigration		1 00 00													150 00
	19 Treasurer of Placer County	7 02 70		57 88												3,841 07
	22 Israel Brockman, Agent for Hiram Smith, Jr. at Colusa					119 20										3,110 20
	25 Treasurer of Nevada County	5 44 32		101 64												8,180 21
	25 Treasurer of San Francisco County	1 00 19		7 08 38	150 16											15,271 80
	27 Treasurer of Stanislaus County by S. P. Skaniken, Do. at Colusa	1 064 07		155 05												2,100 00
	30 D. P. Douglas, Secretary of State				100 00											100 00
June	5 Treasurer of Colusa County	2,624 10		00 28												2,624 42
	4 A. G. Abell, Commissioner of Immigration		1 00 00													100 00
	20 Wm. N. Thompson, School Land Warrant	1,280 00														1,280 00
	26 Treasurer of Sacramento County	8 000 00														8,000 00
	Total	173,919 12	\$10,986 68	\$8,361 86	\$3,254 85	\$1,551 06	\$80 00	\$8,119 20	\$44,002 00	\$3,112 08	\$2,900 52	\$3,912 47	\$4,000 95	\$26 81	\$106 72	\$231,631 91

## RECAPITULATION

General Fund	\$173,919 12
Hospital Fund	10,986 68
School Fund	8,361 86
Military Fund	3,254 85
Literary Fund	1,551 06
Emancipation of Slaves Fund	80 00
Interest Tax Fund of 1851	8,119 20
Interest Tax Fund of 1852	44,002 00
Interest Tax Fund of 1853	3,112 08
Interest Tax Fund of 1854	2,900 52
Interest Tax Fund of 1855	3,912 47
State Prison Inmate Fund	4,000 95
State Property Fund	26 81
Immigration Fund	106 72
Slaking Fund of 1855	1,280 00
Total Amount,	\$231,631 91



## GENERAL FUND.

Cr.

1857.	By cash received into this fund from February 20, 1857, to June 30, 1857. (See tabular statement.)	\$137,019 12
March 19	Transferred from the following funds to this. (See act of Legislature, approved March 18, 1857.)	
	Interest Fund of 1851, - - - \$44,001 90	
	Interest Fund of 1852, - - - 5,112 08	
	State Prison Interest Fund, - - - 4,890 95	
	Interest Fund of 1855, - - - 2,359 52	
	Interest Fund of 1856, - - - 3,932 37	
	Sinking Fund of 1851, - - - 7,719 61	
	State Property Fund, - - - 26 81	
	Insane Asylum Fund, - - - 106 72	
		68,149 96
May 2	By warrant No. 3,015, for \$599 30, and dated April 18th, 1857, was erroneously drawn by Comptroller on this fund instead of the Hospital Fund, - - - - -	599 30
May 2	Transferred from Military Fund, by order of the Comptroller, - - - - -	2,688 34
		<u>\$208,456 72</u>
	By balance, - - - - -	\$8,081 27

## HOSPITAL FUND.

Cr.

1857.	By cash received into this fund from February 20, 1857, to June 30, 1857. (See tabular statement.)	\$10,086 68
		<u>\$10,086 68</u>
	By balance, - - - - -	\$4,240 91

DR.

## SCHOOL FUND.

1857.	To cash paid for the redemption of warrants drawn on this fund from February 20, 1857, to June 30, 1857, inclusive, - - - - -	\$4,299 66
	Balance in this fund June 30, 1857, - - - - -	13,774 84
		<u>\$18,074 50</u>

DR.

## MILITARY FUND.

1857.	To cash paid for the redemption of warrants drawn on this fund from February 20, 1857, to June 30, 1857, inclusive, - - - - -	\$319 00
May 2	Transferred to General Fund, by order of Comptroller, - - - - -	2,688 34
	Balance in this fund June 30, 1857, - - - - -	247 51
		<u>\$3,254 85</u>

## SCHOOL FUND.

CR.

1857.	By cash received into this fund from February 20, 1857, to June 30, 1857. (See tabular statement.) - - - - -	\$8,361 86
May 2	Transferred from General Fund. (See act of the Legislature, approved April 30, 1857.) - - -	9,712 64
		<u>\$18,074 50</u>
	By balance, - - - - -	<u>\$13,774 84</u>

## MILITARY FUND.

CR.

1857.	By cash received into this fund from February 20, 1857, to June 30, 1857. (See tabular statement.) - - - - -	\$3,254 85
		<u>\$3,254 85</u>
	By balance, - - - - -	<u>\$247 51</u>

DR.

## LIBRARY FUND.

1857.	Balance in this fund June 30, 1857, - - -	\$2,121 06
		<u>\$2,121 06</u>

DR.

## ESTATES DECEASED PERSONS.

1857.	To balance on hand June 30, 1857, - - -	\$89 09
		<u>\$89 09</u>

DR.

## HIRAM SMITH, JR.,

*(Absent heir of H. Smith, deceased.)*

1857.	To balance on hand June 30, 1857, - - -	\$3,119 29
		<u>\$3,119 29</u>



## LIBRARY FUND.

Cr.

1857.	By cash received into this fund from February 20, 1857, to June 30, 1857. (See tabular statement.) - - - - -	\$1,551 06
	Transferred from General Fund, 114 members, \$5,	570 00
		<u>\$2,121 06</u>
	By balance, - - - - -	<u><u>\$2,121 06</u></u>

## ESTATES DECEASED PERSONS.

Cr.

1857.	By cash received from February 20, 1857, to June 30, 1857. (See tabular statement.) - - -	\$89 09
		<u>\$89 09</u>
	By balance, - - - - -	<u><u>\$89 09</u></u>

## HIRAM SMITH, JR.,

Cr.

*(Absent heir of H. Smith, deceased.)*

1857.	By cash received from February 20, 1857, to June 30, 1857. (See tabular statement.) - - -	\$3,119 29
		<u>\$3,119 29</u>
	By balance, - - - - -	<u><u>\$3,119 29</u></u>

Dr.

## INTEREST TAX FUND OF 1851.

1857.	To amount transferred to General Fund. (See act of the Legislature, approved March 18, 1857, -	\$44,001 90
		\$44,001 90

Dr.

## INTEREST TAX FUND OF 1852.

1857.	To amount transferred to General Fund. (See act of the Legislature, approved March 18, 1857.) -	\$5,112 08
		\$5,112 08

Dr.

## INTEREST TAX FUND OF 1855.

1857.	To amount transferred to General Fund. (See act of the Legislature, approved March 18, 1857.) -	\$2,359 52
		\$2,359 52

## INTEREST TAX FUND OF 1851.

CR.

1857.	By cash received in this fund from February 20 to June 30, 1857. (See tabular statement.) -	\$44,001 90
		<u>\$44,001 90</u>

## INTEREST TAX FUND OF 1852.

CR.

1857.	By cash received in this fund from February 20 to June 30, 1857. (See tabular statement.) - -	\$5,112 08
		<u>\$5,112 08</u>

## INTEREST TAX FUND OF 1855.

CR.

1857.	By cash received in this fund from February 20, 1857, to June 30, 1857. (See tabular statement.)	\$2,359 52
		<u>\$2,359 52</u>

DR.

## INTEREST TAX FUND OF 1856.

1857.	To amount transferred to General Fund. (See act of the Legislature, approved March 18, 1857.)-	\$3,932 37
		\$3,932 37

DR.

## STATE PRISON INTEREST FUND.

1857.	To amount transferred to General Fund. (See act of the Legislature, approved March 18, 1857.)-	\$4,890 95
		\$4,890 95

DR.

## STATE PROPERTY FUND.

1857.	To amount transferred to General Fund. (See act of the Legislature, approved March 18, 1857.)-	\$26 81
		\$26 81

## INTEREST TAX FUND OF 1856.

CR.

1857.	By cash received in this fund from February 20, 1857, to June 30, 1857. (See tabular statement.)	\$3,932 37
		<hr/> \$3,932 37

## STATE PRISON INTEREST FUND.

CR.

1857.	By cash received in this fund from February 20, 1856, to June 30, 1857. (See tabular statement.)	\$4,890 95
		<hr/> \$4,890 95

## STATE PROPERTY FUND.

CR.

1857.	By cash received in this fund from February 20, 1857, to June 30, 1857. (See tabular statement.)	\$26 81
		<hr/> \$26 81

Dr.

## INSANE ASYLUM FUND.

1857.	To amount transferred to General Fund. (See act of the Legislature, approved March 18, 1857.) -	\$106 72
		<hr/> \$106 72

Dr.

## SINKING FUND OF 1851.

1857.	To amount transferred to General Fund. (See act of the Legislature, approved March 18, 1857.) -	\$7,719 61
		<hr/> \$7,719 61

## RECAPITULATION,

*Of Receipts and Expenditures from February 20, 1857, to June 30, 1857.*

## RECEIPTS.

1857.	To cash received in the several funds from the 20th day of February, 1857, to the 30th day of June, 1857. (See tabular statement.) - - -	\$231,631 91
	Balance, - - - - - \$31,682 97	
		<hr/> \$231,631 91

## INSANE ASYLUM FUND.

CR.

1857.	By cash received in this fund from February 20, 1857, to June 30, 1857. (See tabular statement.)	\$106 72
		\$106 72

## SINKING FUND OF 1851.

CR.

1857.	By cash received in this fund from February 20, 1857, to June 30, 1857. (See tabular statement.)	\$7,719 61
		\$7,719 61

## RECAPITULATION,

*Of Receipts and Expenditures from February 20, 1857, to June 30, 1857.*

## EXPENDITURES.

1857.	By cash paid for the redemption of warrants drawn on the following funds from February 20th to June 30th, 1857, inclusive :	
	General Fund, - - - - -	\$190,092 81
	Hospital Fund, - - - - -	5,237 47
	School Fund, - - - - -	4,299 66
	Military Fund, - - - - -	319 00
	Balance on hand June 30, 1857, - - -	31,682 97
		\$231,631 97





## COPIES OF COMPTROLLER'S ORDERS,

*To Transfer Funds.*

Interest Fund of 1851,	-	-	-	-	-	-	-	-	\$44,001 90
Interest Fund of 1852,	-	-	-	-	-	-	-	-	5,112 08
Interest Fund of 1855,	-	-	-	-	-	-	-	-	2,359 52
Interest Fund of 1856,	-	-	-	-	-	-	-	-	3,932 37
State Prison Interest Fund,	-	-	-	-	-	-	-	-	4,890 95
Sinking Fund of 1851,	-	-	-	-	-	-	-	-	7,719 61
State Property Fund,	-	-	-	-	-	-	-	-	26 81
Insane Asylum Fund,	-	-	-	-	-	-	-	-	106 72
									<u>\$68,149 96</u>

The above is a statement of the balance to the credit of the various funds on the 19th day of March, A. D. 1857, which, by law, is transferrable to the General Fund.

E. F. BURTON,  
Comptroller of State.

By WM. WILLIS, Clerk.

STATE COMPTROLLER'S OFFICE, }  
Sacramento, March 20, 1857. }

Hon. James L. English, State Treasurer :

SIR :—In conformity with section two of an act providing a fund for the use of a state library, Compiled Statutes, folio 872, you will please transfer from the General Fund to the Library Fund the sum of five hundred and sixty-five dollars, (\$565) being amount due said Library Fund from members of the Legislature. (One hundred and thirteen members at five dollars each, or \$565).

Respectfully, your obedient servant,

E. F. BURTON,  
Comptroller of State.

By WM. WILLIS, Clerk.

STATE COMPTROLLER'S OFFICE, }  
 Sacramento, April 1, 1857. }

*Hon. James L. English, State Treasurer :*

SIR :—In conformity with section two of an act providing a fund for the use of a state library, Compiled Statutes, folio 872, you will please transfer from the General Fund to the Library Fund the sum of five dollars, (\$5) being amount due said Library Fund from a member of the Legislature.

Respectfully your obedient servant,

E. F. BURTON,  
 Comptroller of State.

COMPTROLLER'S OFFICE, }  
 May 2, 1857. }

*Hon. James L. English, Treasurer of State :*

SIR :—You will transfer twenty-six hundred and eighty-eight dollars and thirty-four cents, (say \$2,688 34) from the Military Fund to the General Fund, being a part of three thousand nine hundred and twenty-five dollars, (\$3,925) which composes a part of the amount of warrants Nos. 3664 and 3665, dated May 12, 1856, which amounts were erroneously drawn payable out of an appropriation made from the General Fund for printing, paper, and official advertisements, approved March 15, 1856, and which should have been drawn payable out of the Military Fund.

G. W. WHITMAN,  
 Comptroller of State.

OFFICE OF COMPTROLLER OF STATE, }  
 Sacramento, MAY 2, 1857. }

*Hon. James L. English, Treasurer of State :*

SIR :—You will transfer nine thousand seven hundred and twelve dollars and sixty four cents out of the first moneys in the Treasury, from the General Fund to the School Fund, in pursuance of an act making appropriations for the remainder of the eighth fiscal year, approved April 30, 1857.

\$9,712 64.

G. W. WHITMAN,  
 Comptroller of State.

COMPTROLLER'S OFFICE, }  
May 2, 1857. }

*Hon. James L. English, Treasurer of State :*

SIR :—You will please transfer five hundred and ninety-nine dollars and thirty cents, (say \$599 30,) from the Hospital Fund to the General Fund, being the amount of warrant No. 3015, issued April 18, 1857, said warrant being an error, in drawing on General Fund instead of Hospital Fund.

G. W. WHITMAN,  
Comptroller of State.



OPERATIONS OF THE STATE TREASURY

FROM

JULY 1, 1857, TO DEC'BER 15, 1857.





TABULAR STATEMENT OF RECEIPTS INTO THE STATE TREASURY.

From June 1st 1867, to December 15th, 1867, inclusive

T-201

4531-5031

This amount was on hand June 30th, 1857

— 100 —

DR.

## GENERAL FUND.

1857.	To cash paid for the redemption of warrants drawn on this fund from July 1, 1857, to December 15, 1857, inclusive, - - - - -	\$405,759 61
July 2	Transferred to School Fund per Comptroller's order	16,475 20
August 25	Loss sustained by converting gold dust into coin from Treasurer Fresno county, per Comptroller's order, - - - - -	405 65
	Balance in this fund December 15, 1857, - - -	63,503 05
		<u>\$486,143 51</u>

DR.

## HOSPITAL FUND.

1857.	To cash paid for the redemption of warrants drawn on this fund from July 1, 1857, to December 15, 1857, inclusive, - - - - -	\$2,304 67
	Balance in this fund December 15, 1857, - - -	8,603 74
		<u>\$10,908 41</u>

DR.

## SCHOOL FUND.

1857.	To cash paid for the redemption of warrants drawn on this fund from July 1, 1857, to December 15, 1857, inclusive, - - - - -	\$30,957 57
	Balance in this fund December 15, 1857, - - -	12,208 75
		<u>\$43,166 34</u>

## GENERAL FUND.

CR.

1857.	By cash received into this fund from July 1, 1857, to December 15, 1857, inclusive. (See tabular statement.) - - - - -	\$484,906 85
August 4	By transfer from Military Fund to this fund, per Comptroller's order, - - - - -	1,236 66
	Balance, - - - - -	\$63,503 05
		<u>\$486,143 51</u>

## HOSPITAL FUND.

CR.

1857.	By cash received into this fund from July 1, 1857, to December 15, 1857, inclusive. (See tabular statement.) - - - - -	\$10,908 41
		<u>\$10,908 41</u>
	Balance, - - - - -	<u>\$8,603 74</u>

## SCHOOL FUND.

CR.

1857.	By cash received into this fund from July 1, 1857, to December 15, 1857, inclusive. (See tabular statement.) - - - - -	\$26,691 14
July 2	Transferred from General Fund to this fund, per Comptroller's order, - - - - -	16,475 20
		<u>\$43,166 34</u>
	Balance, - - - - -	<u>\$12,208 75</u>

Dr.

## MILITARY FUND.

1857.	To cash paid for the redemption of warrants drawn on this fund from July 1, 1857, to December 15, 1857, inclusive, - - - - -	\$300 00
August 4	Transferred from this fund to General Fund, per Comptroller's order, - - - - -	1,236 66
	Balance in this fund December 15, 1857, - - -	826 31
		<u>\$2,362 97</u>

Dr.

## LIBRARY FUND.

1857.	To cash paid for the redemption of warrants drawn on this fund from July 1, 1857, to December 15, 1857, inclusive, - - - - -	\$2,890 00
	Balance in this fund December 15, 1857, - - -	336 06
		<u>\$3,226 06</u>

Dr.

## ESTATES DECEASED PERSONS.

1857.	To balance in this fund December 15, 1857, -	\$89 09
		<u>\$89 09</u>

## MILITARY FUND.

CR.

1857.	By cash received into this fund from July 1, 1857, to December 15, 1857, inclusive. (See tabular statement.) - - - - -	\$2,362 97
		<u>\$2,362 97</u>
	Balance, - - - - -	<u>\$826 31</u>

## LIBRARY FUND.

CR.

1857.	By cash received into this fund from July 1, 1857, to December 15, 1857, inclusive. (See tabular statement.) - - - - -	\$3,226 06
		<u>\$3,226 06</u>
	Balance, - - - - -	<u>\$336 06</u>

## ESTATES DECEASED PERSONS.

CR.

1857.	By balance remaining in this fund. (See tabular statement.) - - - - -	\$89 09
		<u>\$89 09</u>
	Balance, - - - - -	<u>\$89 09</u>

DR.

HIRAM SMITH, JR.,

*(Absent heir of H. Smith, deceased.)*

1857.	To balance in this fund December 15, 1857,	-	\$3,119 29
			<u>\$3,119 29</u>

## RECAPITULATION,

*Of Receipts and Expenditures from July 1, 1857, to December 15, 1857.*

## RECEIPTS.

1857.	To cash received in the following funds from the 1st of July, 1857, to the 15th of December, 1857, inclusive. (See tabular statement):				
	General Fund, -	-	-	-	\$484,906 85
	Hospital Fund, -	-	-	-	10,908 41
	School Fund, -	-	-	-	26,691 14
	Military Fund, -	-	-	-	2,362 97
	Library Fund, -	-	-	-	3,226 06
	Estates deceased persons, -	-	-	-	89 09
	Hiram Smith, Jr., absent heir, -	-	-	-	3,119 29
					<u>\$531,303 81</u>
	Cash on hand December 15, 1857,	-	-	-	\$88,686 29

## HIRAM SMITH, JR.,

CR.

*(Absent heir of H. Smith, deceased.)*

1857.	By balance remaining in this fund. (See tabular statement.) - - - - -	\$3,119 29
		<u>\$3,119 29</u>
	Balance, - - - - -	<u>\$3,119 29</u>

## RECAPITULATION,

*Of Receipts and Expenditures from July 1, 1857, to December 15, 1857.*

## EXPENDITURES.

1857.	By cash paid for the redemption of warrants drawn on the following funds from July 1, 1857, to December 15, 1857, inclusive :	
	General Fund, - - - - -	\$405,759 61
	Hospital Fund, - - - - -	2,304 67
	School Fund, - - - - -	30,957 59
	Military Fund, - - - - -	300 00
	Library Fund, - - - - -	2,890 00
	Cash paid "loss on gold dust," - - - - -	405 65
	Balance on hand December 15, 1857, - - - - -	88,686 29
		<u>\$531,303 81</u>





## COPIES OF COMPTROLLER'S ORDERS,

*To Transfer Funds.*COMPTROLLER'S OFFICE, }  
July 2, 1857 }*Hon. J. L. English, State Treasurer:*

SIR:—You will please transfer from the General Fund sixteen thousand four hundred and seventy-five dollars and twenty cents, (say \$16,475 20,) to the School Fund, in accordance with an act of the Legislature entitled an “an act making appropriations for the support of the civil government of the state for the ninth fiscal year, approved April 30, 1857.”

G. W. WHITMAN,  
Comptroller of State.COMPTROLLER'S OFFICE, }  
Sacramento, Aug. 4, 1857. }*Hon J. L. English, Treasurer of the State of California:*

SIR:—You will please transfer from the Military Fund to the General Fund one thousand two hundred and thirty-six dollars and sixty-six cents, (\$1,236 66,) being the balance of three thousand nine hundred and twenty-five dollars due from the Military to the General Fund, as specified in Comptroller's warrants numbered 3664 and 3665; the above sum of \$3,925 00 having been paid out of the General Fund by mistake, and should have been paid out of the Military Fund, it being for the printing of military tax receipts.

G. W. WHITMAN,  
Comptroller of State.COMPTROLLER'S OFFICE, }  
Sacramento, Aug. 25, 1857. }*Hon James L. English:*

SIR:—You will charge the General Fund with the sum of four hundred and five dollars and sixty-five cents, being the amount of loss sustained on gold dust received from the treasurer of Fresno county, when converted into coin at the United States Branch Mint at San Francisco, as per the Mint certificate on file in this office, and the affidavit of the Treasurer of State.

G. W. WHITMAN,  
Comptroller of State.

## GENERAL RECAPITULATION,

*Of Receipts and Expenditures, from February 20th, 1857, to December 15th, 1857.*

RECEIPTS.	TOTAL AMOUNT.
Cash received into the various funds from the 20th February, 1857, to the 30th day of June, 1857, inclusive. (See tabular statement which accompanies report ending June 30th, 1857.)	\$231,631 91
Cash received into the various funds, from the 1st day of July, 1857, to the 15th day of December, 1857, inclusive, less the sum of \$31,682 97, it being the amount on hand June 30th, 1857. (See tabular statement, which accompanies report ending December 15th 1857.)	499,620 84
Balance on hand December 15th, 1857, . . .	
	\$731,252 75
	\$88,686 29

## GENERAL RECAPITULATION,

*Of Receipts and Expenditures from February 20th, 1857, to December 15th, 1857.*

EXPENDITURES.		TOTAL AMOUNT.
Cash paid for the redemption of warrants drawn on the following funds, from the 20th day of February, 1857, to the 30th day of June, 1857, inclusive. (See report ending June 30th, 1857):		
General Fund, . . . . .	\$190,092 81	
Hospital Fund, . . . . .	5,237 47	
School Fund, . . . . .	4,299 66	
Military Fund, . . . . .	319 00	\$199,948 94
Cash paid for the redemption of warrants drawn on the following funds from the 1st day of July, 1857, to the 15th day of December, 1857, inclusive. (See report ending December 15th, 1857):		
General Fund, . . . . .	\$405,759 61	
Hospital Fund, . . . . .	2,304 67	
School Fund, . . . . .	30,957 59	
Military Fund, . . . . .	300 00	
Library Fund, . . . . .	2,890 00	442,211 87
Cash paid, "loss on gold dust," . . . .		405 65
Balance on hand December 15th, 1857, . .		88,686 29
		\$731,252 75

THE NEW YORK

LIBRARY OF THE

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ANNUAL REPORT

OF THE

QUARTERMASTER GENERAL,

FOR 1857.

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JOHN O'MEARA, STATE PRINTER.



## ANNUAL REPORT.

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QUARTERMASTER AND ADJUTANT GENERAL'S OFFICE, }  
SACRAMENTO, December 15th, 1857. }

To His Excellency,

J. NEELY JOHNSON,

*Governor and Commander-in-Chief:*

SIR:—I have the honor to submit to your Excellency, in compliance with the statutes of this state, and acts of Congress, the annual report of the department for the year 1857, presenting therewith such statements, suggestions and recommendations as are deemed of importance to the active volunteer militia of the state and the community generally.

A number of very promising companies have been added to our volunteer force during the present year, and many of the old companies have taken steps to establish themselves upon a more efficient and reliable basis, so as to fully accomplish the ends and objects contemplated on their organization, thus affording me the gratification of presenting each and every company now organized and equipped by the state, as entirely reliable for any emergency which may require the aid of a military force, especially that of sustaining the civil authorities in the execution of the laws of this state under any and all circumstances.

This reform I am free to say is mainly attributable to the example of those of our citizen soldiers who have hitherto so nobly done their duty in maintaining the majesty of the constitution and laws of the state at any and every personal sacrifice. Their example has induced our citizen troops generally to investigate and properly understand the character of the responsibilities which they have assumed, and their duties to the community in which their organizations exist—a matter of vital importance to every citizen who is called upon to act in a public capacity.

No changes having been made in the organic law for the formation and government of the militia of this state during the two past years, the changes, therefore, which have taken place in its *condition* have resulted from the causes spoken of, or from its natural growth and development. If its growth has been retarded by the influence of extraordinary local causes, one good result has unquestionably been produced thereby, and I predict that no citizen will hereafter connect himself with the uniformed militia of California who is not willing and ready to pledge the state his faithful services as a soldier.

It should be provided by law, however, that the by-laws of every company should contain a clause requiring those connected with it to take an oath to sup-

port and defend the constitution and laws of the state, and the United States, against all persons, powers, potentates or organizations whatsoever.

Our system is imperfect and deficient in many respects. Its workings are particularly unjust to those enrolled under it. To render a militia effective, a mutual interest must be engendered between the soldier and the government. Whenever the government fully sustains the soldier, you may rely upon it that the soldier will most earnestly defend the government. Now, let me ask, what is the history of our militia system in this regard? Has the soldier been sustained or even encouraged by the government of California? Have we regarded our militia as a distinct and essential department of our government—as a high, honorable and important branch of the public service, and respected it accordingly?

By reference to the journals of our Legislature, from which body this encouragement must mainly come, you will find that during almost every session a determined effort has been made to break down our militia, by the introduction of bills directing its entire abolishment, by ridiculing those enrolled under it, and by deriding it as a useless and expensive appendage to any government. True, this effort to abolish the organization has never yet succeeded, but the opposition engendered by it has prevented from being incorporated therein such healthy reforms as were required to render it entirely efficient.

The true ground of this opposition has never fully transpired. Some may have designed to assume the powers of government for their own private ends, or for the community in which they lived, and desired thus to accommodate their purposes and intentions. Others adhere to the idea that no instruction is necessary, no preparation is required by American citizens, to enable them to compete with the best drilled, disciplined, and most valorous army in the world. But this last argument is too futile to require response, and I assume that every friend of his country and her institutions, every supporter of law, order and peace in the community must recognize the importance of so establishing and sustaining a military organization in California as to render it efficient and reliable.

Had an organization of this kind been effected in California and properly sustained and directed, her escutcheon never would have been tarnished by a failure to enforce obedience to the mandates of her constitution and laws. No portion of her people would have enslaved themselves by a resort to the principle of higher law—her constitution would not have been violated—the officers of the law would not have been resisted—the functions of the law would not have been superseded, nor its forms abrogated—writs of *habeas corpus* would not have been resisted or evaded—trials by jury and the privilege of counsel on proceedings would not have been denied American citizens—the power of life and death would not have been illegally assumed—no standing army would have been maintained in time of peace—no army of foreigners, ignorant of our language, laws and institutions, would have been enlisted against the state—the liberty of the press would not have been abrogated by intimidation or proscription—American citizens would not have been violently arrested and immured in solitary confinement, terrified by an unknown power, or banished from the state, without being charged with crime, or even allowed the semblance of a trial—no system of secret trial, secret indictment or private sentencing, which every freeman holds in utter abhorrence, could have been instituted. Yet these things have been done with impunity, despite the efforts of the state to the contrary. And why? Because she has not fostered and encouraged her militia.

A militia system, then, is imperative upon the state. The constitution requires it, the general government imposes it, and public interest demands it. If, therefore, it is incumbent upon us to keep up a military establishment, it appears to me absolutely indispensable that all the advocates of sound reform and a useful militia organization, should address themselves to a free and fair develop-

ment of the present system, applying to it such correctives and legislative modifications as may be required, giving it a fair opportunity of development and of showing what it can accomplish. Instead of requiring all persons liable to do military duty to parade each year, a tax of twenty-five cents is imposed upon each of such persons in lieu thereof, and yet there are those who complain of the expense of the system, and actually refuse to pay the small amount annually, the payment of which relieves them entirely from the performance of military duty except in time of war.

A just and prudent economy should be observed in this, as in all other departments of government, yet the mere matter of dollars and cents ought by no means to be the governing principle in its organization and support. The commutation spoken of, has, however, never been collected to any extent, and will not be without more stringent legislative provisions in relation to its collection.

But little effort is made by many of the civil officers to collect this tax or to enroll those entitled to do military duty.

The laws of Congress require the imposition of a fine for a failure to perform military duty, or the payment of a commutation therefor in money. This tax will be received, if collected, from many persons of small or moderate means, while millions of property, much of which belongs to non-residents, will be indebted to our military force, if not for exemption from attack, at least for freedom from apprehension of it.

For this reason, it is thought by many that it will soon be conceded to be just and wise that a portion of the expense of keeping up a thorough and complete military establishment, with its annual parades and encampments, should be derived from a tax on property, for that, if the rights of property are invaded, government must rely upon the militia to sustain the civil authorities. These remarks are designed to draw attention to this important subject, and will apply particularly to our cities and our frontier counties, but it will be admitted that every portion of the state feels a greater security of life and property in consequence of the presence of an efficient volunteer force. And it is asked upon what principle can objection be raised to a moderate tax for these purposes? It is alleged that free schools are sustained partly because property is more secure when the masses are educated and enlightened; but the protection afforded by education is incidental and remote, while that of the militia is immediate and direct. Our isolated position—our distance from the national capital and our sister states, with mountains, deserts and oceans intervening, render it absolutely certain that, in case of war with a maritime power, California would be compelled, for a time, at least, to defend her soil from the invading force.

At the present time there is every indication that the people of an adjoining territory will have to be forcibly subdued by the general government, in which case it will be found greatly to her advantage, if not absolutely necessary, to make California the basis of military operations, and to depend mainly upon Californians for the troops required.

In the early part of November last, I had the honor of tendering the services of from ten to twenty thousand volunteers for this campaign, and if they should be accepted, we should be able to furnish a sufficient number of competent men to fit and prepare the volunteers required for actual service, under a system which conforms entirely with that with which the regular troops are drilled. The importance, then, of our military organization, both to the general government and our own state, will be readily admitted, and its organization has been accomplished at great sacrifice of money and time of persons connected with it.

The expenses incident to keeping up a volunteer organization are many. First—companies are required to give bonds to the state for the safe-keeping of the arms issued to them. It becomes necessary for them, therefore, to procure a room where they can be safely stored. This creates a monthly expense which has



heretofore mainly been paid by assessments upon the members of the company. Each company also must have a drill-room which must be lighted for drill on two or three evenings per week, and this expense has to be met in the same manner. Now, I submit if it is just, generous and proper to require these constant sacrifices of money from those who cheerfully give their time for the public weal, and supply our civil authorities with the only force recognized by our constitution to aid in the execution of the laws.

Without disciplined bodies of citizens, acting with mutual concert and knowledge, our regular army would require to be co-extensive with that of the prominent European powers; hence the importance of the militia.

## ENCAMPMENTS.

In former reports I have recommended the necessity of holding annual encampments of our volunteer militia, and attempted to set forth the benefits which would accrue therefrom. The advantages to be derived from assisting our volunteer troops to become familiar with the duties that attach to actual service, are too obvious to any reflecting mind to require from me more than a passing notice.

As a proof of the discomfort and suffering on the one hand, and the comfort and safety on the other, I will simply refer to the late war with Mexico. Of the twenty-five thousand—the estimate of our losses in that campaign—only about five thousand actually fell in battle; and, on the authority of the official papers of the Mexican government, it appears that, of double that number who laid down their lives in consequence of that struggle, only about the same proportion fell by the hands of the enemy.

In one of the most equable and temperate climates on the globe, and in the absence of any devastating epidemic, the most fruitful cause of disease and death, in both armies, arose from a want of the knowledge of camp duties. The army troops, being under regular and systematic discipline, protected by a knowledge of the economy of camp life, become gradually inured to the absence of conventional comforts, and are prepared to do good service in the field, and retain health. On the other hand, the ranks of the volunteers engaged in that war, although they had the same equipage, were greatly thinned by fell disease before they had an opportunity of conflict with the opposing foe. What was to the regular troops only a change of habitation, simply requiring care and attention, was to the other a fruitful source of distress and inconvenience. Cleanliness, a suitable health police, and a thousand matters of good order, essential to the preservation of health, are not the result of mere theory, but must be acquired by experience in service.

Take a citizen from his fireside and place him in the active field, without previous instruction, and he will make a sad contrast with the well disciplined soldier. Take a citizen soldier, and accustom him, by an easy and pleasing transition, to the duties on the field, and, should his services be suddenly required in a more extended military sphere, his experience will enable him to contend with exposure and hardship which otherwise would operate as a serious drawback. Let us, then, habituate our citizen soldiers, by a system of instruction, to their duties in this respect, and give them an anticipation of, and, to a great extent, a safeguard against the vicissitudes of actual service, and the result must be highly beneficial.

Look at many of the volunteers, as they returned from the battle-fields of Mexico. Men, for the most part, in the very prime of life, with emaciated forms and shattered constitutions, borne down under the influence of an inexorable conqueror; and know, at the same time, that they unflinchingly and fearlessly encountered all the dangers which assailed them, and say if this is not an appeal to

your sympathies, and if it does not add to the testimony that lack of experience, and a knowledge of the duties of camp life, have greatly contributed to bring about this result.

I would, therefore, suggest that, in order to encourage the establishing of encampments, an appropriation should be made to pay at least a portion of the expenses to be incurred in this manner. It should be the desire of all to have the volunteer militia well cared for, and rendered efficient; and the mere matter of dollars should by no means be the governing principle in its organization and support.

The requirements of the statutes, relating to annual state parades, have not been conformed to, during the two past years, on account of circumstances which prevented the personal attendance of your Excellency, or the Quartermaster and Adjutant General, on the same.

In the absence of encampments, I deem a compliance with the provisions referred to to be of great importance to the state military organization, and should, under no circumstances, be neglected or omitted hereafter. If these parades are duly countenanced by those whose duty it is to inspect them, the most beneficial results will accrue therefrom. An enthusiasm will be created among our young and enterprising citizen soldiery, which will impart new life and vigor to the organization; induce a perfection in drill, in all the elements of a true and competent soldier; and at the same time would aid California to fulfill her most sacred obligations of duty to the general government and her sister states.

These parades were substituted for encampments, (which are, indeed, almost indispensable to an extensive and well organized militia,) and were adopted in view of the large indebtedness of the state, and the importance of supplying a dependence upon which the civil authorities could rely in the shortest possible space of time. Until these annual encampments are authorized, let us have our state parades, our military re-unions. They are indispensable to our organization, in every point of view, and will be cheerfully attended by all connected with the same. I have said thus much upon these important subjects with the view, if possible, of inducing some action in relation to them.

### MILITARY INSTITUTE.

I have the honor to again call your Excellency's attention to the suggestion relative to a military university in California, made in my last report, and solicit your attention to the matter as of public importance, and respectfully refer to the following extract in my last annual report:

"I beg leave to suggest the propriety of appropriating the means set apart for the establishment of a state seminary or university in California, (whenever the same are available,) to the establishment of a state military institute, similar to those now existing in several of the older states of our Union. The progress and success of these institutions has fully demonstrated the practicability of engrafting the military system upon state colleges. This suggestion may be deemed premature, but I am fully convinced that when the proposition is fully discussed, and the additional benefits to be derived by the student at an institution of this kind are fully understood, it will meet with public favor and support. The introduction of military discipline in a school serves to promote regular habits, and invigorate the physical constitution of the student, while, at the same time, it will give a practical tone to every department of study, and thoroughness of instruction would constitute its chief element. The habits of the soldier would conduce to system, promptness, responsibility, energy and decision. To the pursuit of scientific courses, these principles and habits of duty render military schools the first institutions in the country, and it is to *practical education* that we mainly rely for our advancement in greatness, as individuals, or as a state or nation. It

fits and prepares us for all the active duties of life, and should form the basis of every state educational institution. Its graduates would go forth—the teacher to his school; the engineer to his rod and level; the architect and draughtsman to his drawing-board; the farmer to his farm; the soldier to his post—each with a sound, practical education, based upon system and order, which have been indelibly impressed upon his mind by the practical and systematic character of his school. I do not purpose to discuss the full merits of such a college, but, believing in its great utility, take this initiative step with the hope of directing public attention to it, and to induce abler writers to extol its merits.”

## ARMS.

In relation to the subject of arms, I take the liberty to quote from my last annual report:

“I have to state that California is exceedingly deficient in arms with which to equip her militia. Another effort should be made immediately to obtain a sufficient quantity from the general government for the use of the state, and of the most approved kind. In the present age of military science, much attention has been paid to such arms as are intended for the main body of an army—*i. e.*, infantry—and small arms, which, twenty years ago, were thought to have attained to all the perfection to which they were susceptible, are now replaced by new and improved arms, which can be shot with unerring accuracy for a distance of five to eight hundred yards, and are rendered otherwise formidable for repelling a charge of infantry or cavalry. The ordinary musket and rifle, by an adaptation of the invention of Minnie, have been materially improved. This is the style of arms which we greatly need.”

During the last session of Congress, through the efforts of our senator and representatives, the passage of a bill, appropriating to the state of California eight thousand stand of arms, was secured through the United States Senate, and went to its third reading in the House of Representatives. This quantity would have been sufficient for all local emergencies, and would have been worth to the state, at the cost price to the general government, over one hundred thousand dollars—rendering it a matter of great importance, in every respect, and worthy of the attention of the ensuing Legislature.

This subject has frequently been brought to the notice of our legislators and representatives in Congress by me, and I have in former reports, claimed attention to the wants of our state in implements of defence, but I cannot refrain from again urging most seriously upon those to whom our safety is confided, the high and imperative necessity of obtaining from the general government prompt attention to our just demands. An outpost of the Union, with a seaboard accessible to a foreign foe, and shut out from the heart of the confederacy by almost impassable mountains and deserts, we are exposed to attack without the means of even reasonable relief from the balance of the Union. How important it is, then, that we should be largely and liberally supplied with arms and munitions of war, that we may summon our citizens in moments of emergencies, and find them ready trained to the use of implements of defence. A season of peace and repose under the circumstances of our exposed position, should not lull to fancied security those public servants upon whom the state relies, to place in our midst a portion of the vast supplies of warlike material hoarded by the general government in the midst of densely settled states within striking distance of the capital of the nation, accessible from all points through roads of iron and conveyance by steam.

At the present moment, with a very scanty supply of small arms, the state possesses but a single section of field artillery, and may be at any time open to invasion from abroad or treason at home. I trust, therefore, that this subject, so



often impressed, may still claim the attention of your Excellency, and that you will deem it of sufficient importance to bring it before the Legislature by a special recommendation in your annual message.

With a sufficient supply of arms and accoutrements, and an organization such as I have herein recommended, the authorities would neither fear insurrection or be intimidated by an attempted invasion. The Legislature for the past three sessions has memorialized Congress for a necessary supply of arms for the use of this state, and I entertain the opinion that, however obnoxious the sending of special agents to the national capital for the purpose of securing to California what she is entitled to, and so much needs, we shall never obtain a quantity of arms for our immediate necessities without again resorting to this method, and therefore recommend it as the only alternative.

The Board of Examiners of War Claims, as will be seen by their reports, already submitted, have progressed with the business assigned them, and will in the course of a few months be enabled to make a final report. The duties imposed by the act creating this board have required my constant attention since the first of June last. To complete the work and make a final settlement of all the claims incurred in suppressing Indian hostilities on the frontier of this state up to the present time, a supplemental act should be passed authorizing the board of examiners to audit and allow (in their discretion,) and directing the Treasurer of State to issue bonds upon the following claims, viz.:

For expenses of the Pitt River expedition in the year 1857, consisting of a company of twenty-five men in service from thirty-four to eighty-three days each, including transportation,	\$7,270 00
For supplies, medical services, and use of animals furnished Wright's and McDermott's companies, A. D., 1852,	6,682 00
For property burned and destroyed in Butte county, A. D., 1851, say	10,000 00
For other claims, say	7,000 00
Making a total of,	\$30,952 00

The act referred to, authorizes the issue of bonds to the amount of \$410,000, for the payment of certain claims, and after the same have been audited, there will be a balance of more than the amount here asked for, consequently it is only necessary to divert a portion of the unissued bonds to the payment of the claims referred to, and a full and final settlement of Indian war claims, will have been made by the state.

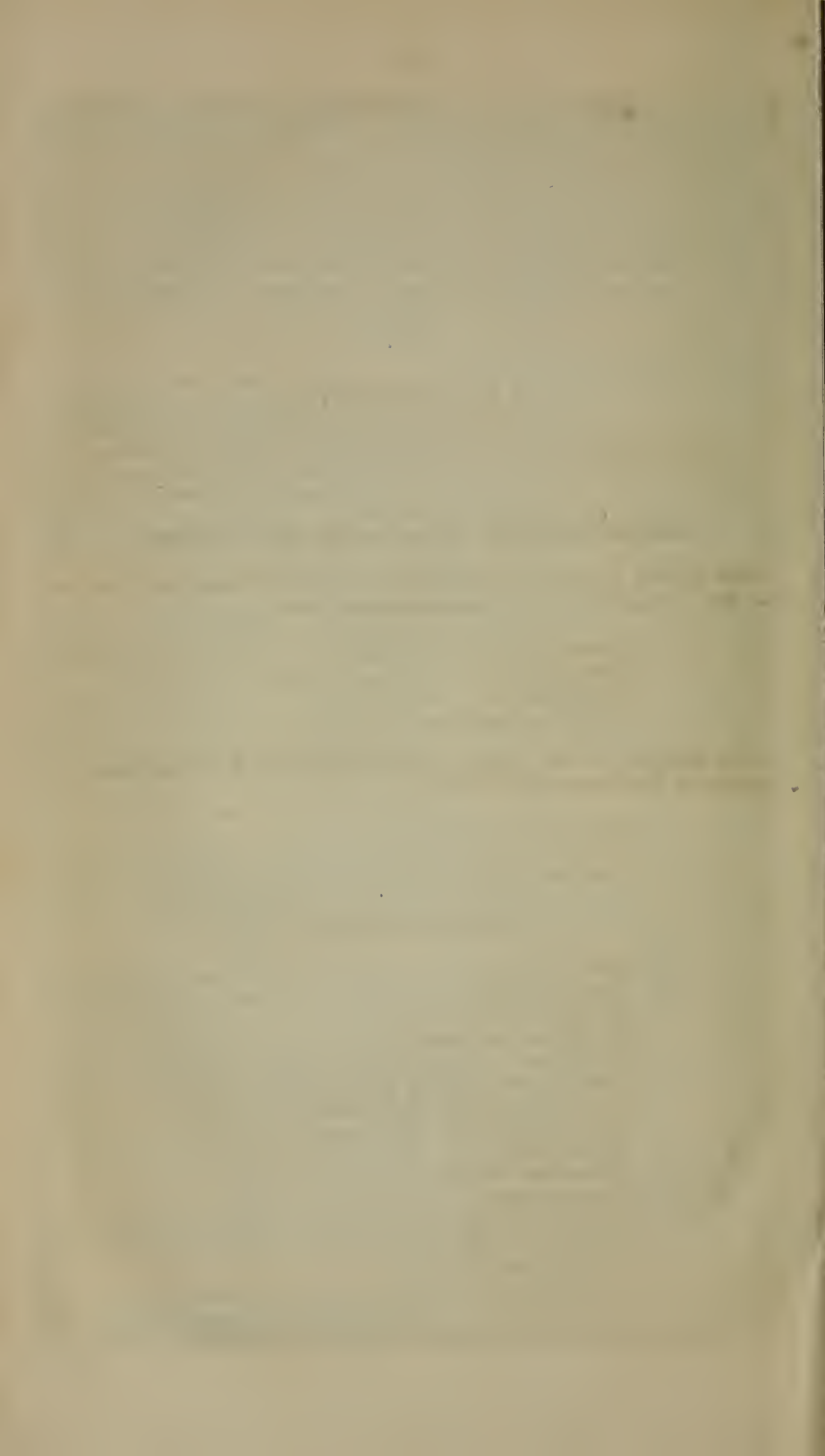
The sum of \$20,000, was appropriated for services rendered, supplies furnished and property destroyed in Nevada county in the years 1850 and 1851. The claims for services and supplies have been audited to the amount of \$1,109 00, but the losses sustained not having been by actual destruction of property by the Indians, the board could not, under the authority given them by the law, audit claims for abandonment of property, even though the owners thereof suffered as direct and complete loss as they would have done if the same had been actually burned and destroyed. If, therefore, this claim is to be recognized, further legislative action will be required so as to conform the law to the nature of this claim.

The annual return of the militia of this state, and a register of the volunteer militia is hereto appended; also, a schedule of arms received and issued during the year 1857.

All of which is most respectfully submitted.

WM. C. KIBBE,  
Quartermaster and Adjutant General,  
State of California.





## APPENDIX.

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### REGISTER VOLUNTEER MILITIA COMPANIES OF CALIFORNIA.

First Infantry Battalion, Second Brigade, Second Division, Wm. Neely Johnson, Major, composed of the following companies, viz.:

Marion Rifles,  
Continental guards,  
Wallace Guards,  
San Francisco Blues.

First Battalion, Second Brigade, Fourth Division, D. E. Hungerford, Major, composed of the following companies, viz.:

Sierra Guards,  
Forest Rifles,  
Goodyear's Rifles.

### VOLUNTEER COMPANIES.

San Diego Guards,  
Southern Rifles,  
Ringgold Artillery,  
San Bernardino Rangers.  
San Bernardino Guards,  
Santa Barbara Mounted Riflemen,  
National Guards, city of San José,  
Santa Clara Cadets,  
Marion Rifles,  
Continental Guards.  
Wallace Guards,  
National Lancers,  
San Francisco Blues,  
Petaluma Guards,  
Stockton Blues,  
Sonora Grays,  
Columbia Fusileers, with Artillery detachment.

Tulare Mounted Riflemen,  
 Sutter Rifles,  
 Coloma Grays,  
 Placer Rifles,  
 Sierra Guards,  
 Forest Rifles,  
 Goodyear's Rifles,  
 Siskiyou Guards,  
 Scott River Guards,  
 Klamath Rifles,  
 Plumas Rangers,  
 Oroville Guards,  
 Napa Volunteers,

Most of the above companies are reported to be in fine drill, and all can be relied upon as loyal to the state and national governments, and number about 1800 men. The respective divisions and brigades in this state are officered according to law.

### SCHEDULE,

*Of Arms and Accoutrements which have come into my possession since my last annual report:*

#### FROM THE GENERAL GOVERNMENT,

By the hands of Capt. F. D. Callender, commanding U. S. arsenal at Benicia:

- 78 Long Range' Rifles.
- 50 Non-commissioned Officers' Swords.
- 100 sets fifty Accoutrements, complete.
- 50 Cartridge Box Plates.
- 50 Sword Shoulder Belts and Plates, for Non-commissioned Officers' Swords.
- 78 Rifle Cartridge Boxes and Plates.
- 78 Waist Belts, with Scabbard, Clasps, etc., for Rifle Sword Bayonets.
- 78 Gun Slings.
- 78 Cap Pouches and Picks.

#### FROM OTHER SOURCES.

- 135 Percussion Rifles.
- 135 Gun Slings.
- 135 Cartridge Boxes and Plates.
- 135 Waist Belts and Plates.
- 135 Cap Pouches.
- 38 Musketoons.
- 38 sets Accoutrements for Musketoons.

There has been expended for the care, repair, and transportation of arms since my last annual report, the sum of three hundred and ninety-eight dollars and fourteen cents.

For contingents of office, three hundred and seven dollars and ninety-two cents.

## SCHEDULE,

*Of Arms and Accoutrements issued since my last annual report—viz. :*

## TO SUTTER RIFLES.

- 40 Rifles (improved).
- 38 Sabre Bayonets.
- 38 sets Accoutrements, with Scabbards.
- 4 Non-commissioned Officers' Swords.
- 4 Non-commissioned Officers' Belts and Plates.

## TO MARION RIFLES.

- 38 Rifles (improved).
- 38 Sabre Bayonets.
- 38 sets Accoutrements, with Scabbards.
- 4 Non-commissioned Officers' Swords.
- 4 Non-commissioned Officers' Belts and Plates.
- 6 Roman Swords.

## TO PLACER RIFLES.

- 40 Percussion Muskets.
- 40 Cartridge Boxes and Plates.
- 40 Waist Belts and Plates.
- 40 Cap Boxes.
- 4 Non-commissioned Officers' Swords.
- 4 Belts and Plates for Non-commissioned Officers' Swords.

## TO COLUMBIA FUSILEERS.

- 26 Artillery Sabres.
- 26 Artillery Sabre Belts and Plates.

## TO PLUMAS RANGERS.

- 60 Percussion Muskets.
- 60 Bayonets.
- 60 Cartridge Boxes.
- 60 Cartridge Plates.
- 60 Cross Belts.
- 60 Cross Belt Plates.
- 60 Waist Belts.
- 60 Waist Belt Plates.

## TO NATIONAL GUARD, CITY OF SAN JOSE.

- 40 Percussion Muskets and Bayonets.
- 40 Cartridge Boxes and Plates.
- 40 Cross Belts and Plates.
- 40 Cap Pouches.
- 40 Gun Slings.
- 40 Waist Belts.

## TO FOREST RIFLES.

- 40 Rifles.
- 40 Cartridge Boxes.
- 40 Cartridge Box Plates.
- 40 Waist Belts.
- 40 Waist Belt Plates, with appendages.

## TO OROVILLE GUARDS

- 40 Percussion Rifles.
- 30 Cartridge Boxes and Plates.
- 35 Waist Belts and Plates.
- 35 Cap Pouches, with appendages.

## TO SOUTHERN RIFLES.

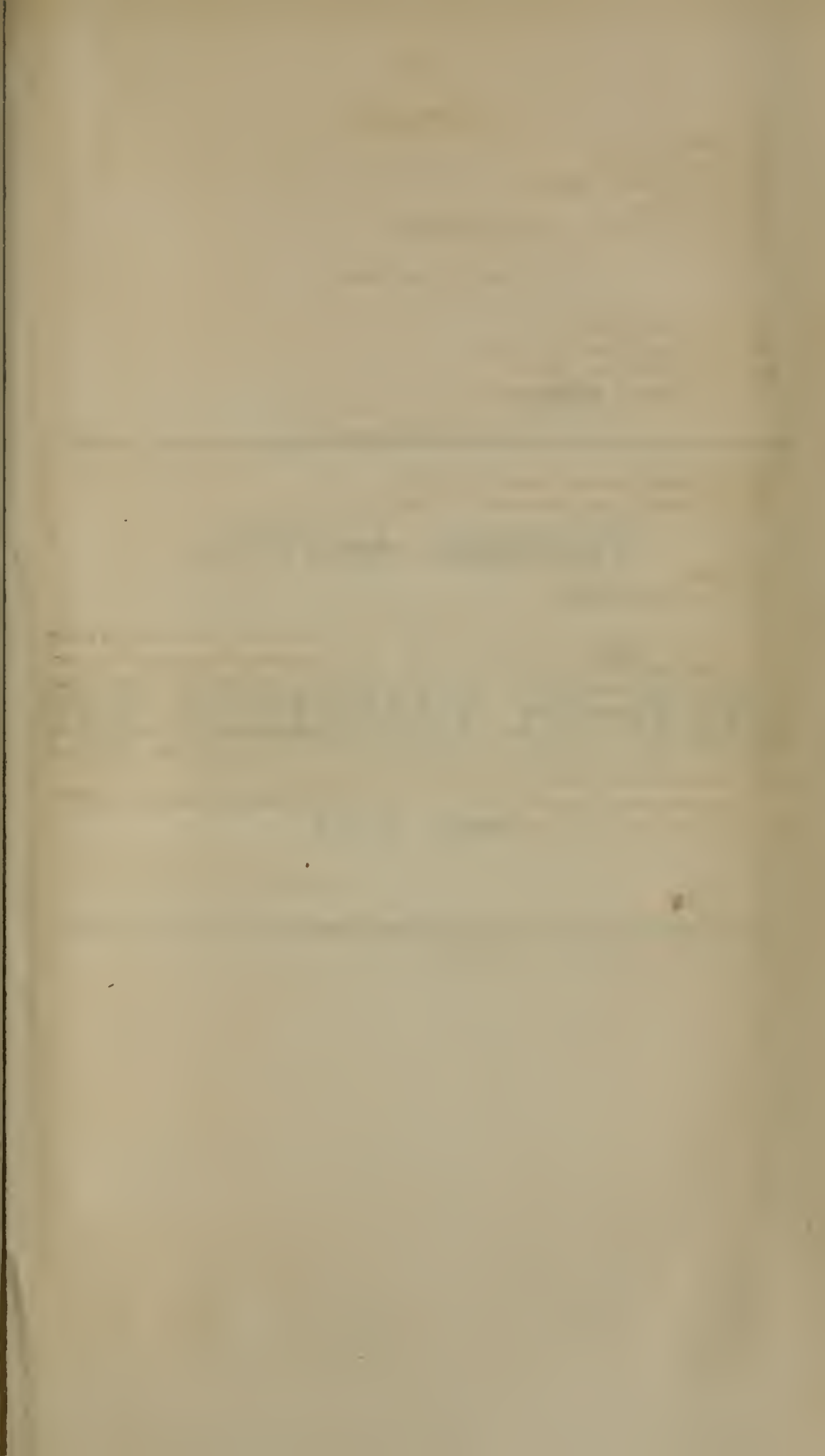
- 40 Rifles and Accoutrements, complete.
- 20 Muskets and Accoutrements, complete.

## TO WILLIAM ROGERS.

- 25 Rifles.
- 1000 Rifle Ball Cartridges.

In the year 1856, several companies were mustered into active service by order of his Excellency the Commander-in-Chief, in the second division, for the purpose of aiding the authorities in executing the laws in the county of San Francisco, and as no appropriation has been made to pay the expenses thereof, I would respectfully suggest that the accounts on file in my office should be examined by a committee of the ensuing Legislature, with a view to recognizing the validity of those claims and some action in regard to their payment.

A supplementary report relative to the action of the board of military auditors, will be transmitted to the Legislature.



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ANNUAL REPORT

OF

THE SECRETARY OF STATE,

FOR 1857.

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JOHN O'MEARA, STATE PRINTER.

# ANNUAL REPORT.

STATE OF CALIFORNIA, }  
Office of Secretary of State. }

To his Excellency,

J. NEELY JOHNSON:

In obedience to law, I have the honor to submit the following report on the present condition of the State Library, and the transactions of this office during the past year. It will be seen by the accompanying catalogue, that the library now contains five thousand nine hundred and ninety-two volumes, (5,992,) and, including the accessions made by interchanges with the state, since the date of the catalogue, the number of volumes will reach six thousand (6,000.) These six thousand volumes comprise as follows:

	No. copies.
Law reports, - - - - -	1597
Law digests, - - - - -	149
Law treatises, - - - - -	1024
Trials, - - - - -	50
French law books, - - - - -	262
Spanish law books, - - - - -	99
Statute laws, - - - - -	351
State papers, - - - - -	687
Miscellaneous works, - - - - -	1781
Total, - - - - -	6000

This estimate does not include the laws, journals, convention debates and digests of this state, which are as follows:

	No. copies.
Laws of 1850, - - - - -	6
Laws of 1851, - - - - -	104
Laws of 1852, - - - - -	2
Laws of 1853, - - - - -	14
Laws of 1854, English and Spanish, - - - - -	734
Laws of 1855, English and Spanish, - - - - -	490
Laws of 1856, English and Spanish, - - - - -	892
Laws of 1857, English and Spanish, - - - - -	840

	No. copies.
Journals of 1850, Senate and Assembly, - - - - -	307
Journals of 1851, Senate and Assembly, - - - - -	378
Journals of 1852, Senate and Assembly, - - - - -	237
Journals of 1853, Senate and Assembly, - - - - -	371
Journals of 1854, Senate and Assembly, - - - - -	567
Journals of 1855, Senate and Assembly, and Appendix, - - -	830
Journals of 1856, Senate and Assembly, and Appendix, - - -	1384
Journals of 1857, Senate and Assembly, and Appendix, - - -	1786
California Convention Debates, - - - - -	714
California Practice Act, - - - - -	5
Wood's Digest, - - - - -	216
	<hr/>
	9877

Thus making a grand total of 15,877 volumes, exclusive of duplicate executive documents.

Since I took charge of this office, there have been purchased and deposited in the library twelve hundred and sixteen volumes, at a total cost of three thousand four hundred and five dollars and sixty-four cents (\$3405 64.)

There are now in the hands of the purchasing agent, in New York, four thousand seven hundred and seven dollars and thirty-three cents (\$4707 33,) to be expended in the purchase of another invoice. The last catalogue ordered was forwarded to New York on the 19th day of October last, and will probably result in an increase to the library of nearly two thousand volumes.

These books have all been purchased from the proceeds of the Library Fund, without any draft whatever upon the treasury of the state. The amount paid into the Library Fund by me, during the last two years, was five thousand and ninety-four dollars, (\$5,094.) In the year 1856, two thousand five hundred and thirty-four dollars, (2,534,) were paid in; and in the year 1857, two thousand five hundred and sixty dollars, (\$2,560.) The amount now in the fund is \$707 02.

There has been a decrease in the issuance of certificates for the sale of swamp and overflowed lands the past year, and fees for military commissions are not, as heretofore, paid into the Library Fund; yet notwithstanding this decrease in the sources, there has been an increase of the Library Fund over the preceding year. Within this last year I have used the privilege allowed me by law, and presented on behalf of the state to each of the public libraries within my knowledge, a full set of the journals and appendix, together with the debates of the Constitutional Convention.

The digest of the laws of the state, prepared by W. H. R. Wood, as provided for by an act of the last Legislature, was published, and five hundred copies delivered to me as required by law. Immediately upon receipt of the same, I proceeded to distribute them, but on account of the limited number purchased, was necessarily restricted in the distribution.

They were distributed as follows :

	No. copies.
Two copies to each state and territory in the Union, - - - - -	74
One copy to each of the departments at Washington and two to the Congressional Library, - - - - -	8
Four copies to each county of the state, except the counties of San Francisco and Sacramento, the first of which received six copies and the latter five, - - - - -	171
The copies sent to the counties directed to be distributed to the county judges, sheriffs, clerks and district attorney—one copy to each of the supreme and district judges, - - - - -	18

	No. copies.
One copy to each of the state officers, - - - - -	8
One copy to the Insane Asylum, - - - - -	1
One copy to each of our Representatives in Congress, - - - - -	4
Total distributed, - - - - -	284
Leaving on hand, - - - - -	216

I have not made any further distribution, from the fact, there was not a sufficient number to furnish *all* entitled to them with copies, and I was not disposed to make a discrimination. I recommend that you urge upon the Legislature the necessity of making an additional purchase of this publication, in order that all the county officers and justices of the peace throughout the State may be supplied. It is a work of great value and convenience, combining, as it does, in a single volume, all the general acts of the state now in force, alphabetically arranged under appropriate heads; thus superseding the necessity of consulting the eight volumes of our annual acts to determine the law on any given subject. It also contains an entire reprint of all laws of the state necessary to be permanently preserved, many of which, before its publication, were almost out of print, and the scarcity of which was felt to be a great inconvenience to the public.

The price of the work is reasonable, considering that it was compiled and published entirely within this state, where the price of labor, printing and materials, are at least double those in the Atlantic States. It is, furthermore, an enterprise of one of our own citizens, and deserves the encouragement of the state.

Besides the scanty distribution of the work I have been obliged to make in the counties of our own state, I have only been enabled to send two copies to each of the Atlantic states and territories. This is not in accordance with that liberality which is usually observed in the interchange of publications between states and governments—it being customary in such cases to send triplicates.

During the past year, by the joint action of the judges of the Supreme Court and myself, the supreme court rooms and the state library have been removed from their former location to the corner of J and Fourth streets. This removal will be a saving to the state of twenty-eight hundred dollars per annum in the item of rent. The rooms obtained are much more desirable and accessible; and the one devoted to the state library is nearly or quite double the size of the one previously occupied for that purpose. The present room is amply sufficient for the reception of all the books, and for their convenient arrangement. In defraying the expenses of this removal of the state library, I have found it necessary to draw on the contingent fund of the Supreme Court to the amount of five hundred and eighty dollars. In consequence of this draft, it is apprehended that the contingent of the court may have been so diminished as to be insufficient for the year, I therefore request that this amount may be refunded by appropriation.

In our efforts to build up a library which will be creditable to the state, and valuable to literary and scientific men as well as to legislators and statesmen, it is a matter of high moment that we adopt all proper and practicable methods of making accessions to our stock of books. As one means which would probably result in valuable additions, I would suggest the propriety of some legislative action relative to international exchanges. By this means, we could obtain, without cost, the laws and public documents of other nations, and perhaps many rare, curious, and interesting works.

The law relative to this office devolves on the Secretary of State the duty of purchasing stationery, lights, fuel, etc., for the use of the Legislature, and also of having the capitol properly prepared for their reception. The contract for stationery, etc., was duly advertised, and after examining the bids and the quality of the article, the contract was awarded to Mr. George A. Mendon, of San Fran-

cisco; his bid appearing to me the best for the State. The amount expended for stationery was \$2,035 30. There were four bids presented for the supply of the required articles, all of which are on file in this office, and open to the inspection of the Legislature.

The contract for supplying coal was awarded to Messrs. Firderer & Caduc, of Sacramento, at thirty dollars per ton. Five tons were ordered, which, with the quantity now on hand, will be amply sufficient for the use of the present session.

The contract for supplying candles was awarded to Mr. Wm. C. Wood, at sixty cents per pound. Thirty boxes were ordered.

\* I purchased, some time since, seven cords of wood, at \$7 dollars per cord, for the use of the Legislature. This was bought of Messrs. Burton & McCarty, of this city.

The entire cost of refitting the capitol is not now known, as all the bills have not yet been presented; but at an early day, I will report the same to the Committee on Accounts and Expenditures.

The transactions of the Board of Examiners, of the Commissioners of Stamp Duties, and of the Commissioners for the sale of State Property in San Francisco, of all which the Secretary of State is a member, will be exhibited in separate reports from these different boards.

I have the honor to be your obedient servant,

DAVID F. DOUGLAS, Secretary of State.









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# ANNUAL REPORT

OF

THE STATE SUPERINTENDENT

OF

PUBLIC INSTRUCTION.

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1879

1879

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JOHN O'MEARA, STATE PRINTER.

# ANNUAL REPORT.

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*To the Senate and Assembly of the State of California :*

The undersigned has the honor to submit the seventh annual report from the department of instruction, as required by act of May 3d, 1855.

Notwithstanding the pittance doled out by the state for the support of public schools, they have been steadily increasing and improving in efficiency during the past six years. Earnest and intelligent friends of education have sprung up in all parts of the state, and by their active efforts the people have been encouraged to persevere, despite the little assistance received from the state. The semi-annual apportionment of the State School Fund, just made, amounts to \$28,342 16, which is all that the state contributes to the support of four hundred and eighty-six teachers employed in the several counties.

This is an average of \$58 32 to each teacher, for six months' labor, or \$9 72 per month. You may imagine, gentlemen, it has required more than ordinary exertion, on the part of the friends of education, to overcome the discouragement occasioned by such an exhibit.

Since the organization of the school system, by the Legislature of 1852, the funds accrued have been apportioned, by the State Board of Education, as follows :

JANUARY 1, 1854.

To 53 schools ; 56 teachers ; 11,242 children, reported by census, \$53,511 11 ; being an average of \$955 to each teacher.

JANUARY 1, 1855.

To 168 schools ; 214 teachers ; 19,472 children, \$39,104 78 ; being an average of \$182 50 to each teacher.

JUNE 30, 1855.

To 168 schools ; 214 teachers ; 19,472 children, \$24,558 21 ; being an average of \$114 90 to each teacher.

DECEMBER 31, 1855.

To 227 schools ; 301 teachers ; 26,077 children, \$28,269 60 ; being an average of \$93 91 to each teacher.

JUNE 30, 1856.

To 227 schools; 301 teachers; 26,077 children, \$38,850 80; or an average of \$129 07 to each teacher.

DECEMBER 31, 1856.

To 313 schools; 399 teachers; 30,039 children, \$47,759 25; or an average of \$119 70 to each teacher.

JUNE 30, 1857.

To 313 schools; 399 teachers; 30,039 children, \$30,178 72; or an average of \$75 64 to each teacher.

DECEMBER 31, 1857.

To 367 schools; 486 teachers; 35,722 children, \$28,342 16; or an average of \$58 32 to each teacher.

From this it will be seen the number of schools has increased, in four years, from 53 to 367—nearly sevenfold. The number of teachers, from 50 to 486—nearly ninefold. The number of children reported by census, from 11,242 to 35,722—more than threefold; whilst the semi-annual contribution by the state has dwindled from \$53,511 11, to \$28,342 16, or nearly one-half; and the average paid each teacher, from \$955 to \$58 32—that is to say, to less than one-sixteenth of the average under the first apportionment.

I will not waste words on such an exhibit. If it be not convincing that the support derived from the state is altogether insufficient, and ought to be augmented, no appeal of mine could enforce it.

But this I may be permitted to say—that we have no such thing as public schools, in the full acceptance of the term—that is to say, schools at which all the children of the state may be educated, *free of expense*. That \$9 72 per month, to each teacher, contributed by the state, never can maintain a public school; that the contributions by parents and guardians to keep up the schools are onerous, oftentimes unequal, and must, in time, damp their ardor in the cause of education; that our 367 schools are comparatively in their infancy, and now, above all other times, should be cherished and encouraged by the state. Lacking such fostering care and encouragement, it is to be feared they will languish, and gradually lose their hold upon the popular favor. Is it not worth more than an ordinary effort to avert such a calamity?

I am pleased to report that the daily average attendance at the public schools is increasing, not only absolutely, but relatively.

In 1855, the average number of children attending the schools daily, was 6,422; in 1856, 8,301; in 1857, 9,717. If to this last number, we add the number that attended schools maintained, but from which no report, or very imperfect ones have been received, the daily average attendance will reach full 10,750. In addition to this, private schools have largely increased during the past year, not in number only, but in magnitude. Including pupils attending such schools, the daily average attendance in 1857, probably amounted to 12,000, or about one-third the number of children between four and eighteen years of age, reported by census. This, although by no means as full an attendance as a more liberal support would secure, is, on the whole, satisfactory, especially when we consider that very few children under seven years of age, and still fewer over fifteen, attend school, particularly in the rural districts.

From a personal examination of a number of the schools, I can speak in the highest terms of their efficiency. It has been a source of regret that health has prevented me from making such examination general throughout the state. In



my next communication, I hope to be able to report upon the condition of all the schools from personal inspection. I cannot permit the occasion to pass without bearing witness to the excellence of the public schools in San Francisco and Sacramento. In those counties, extraordinary efforts have been made by the citizens to secure the benefit of education, and those efforts have been eminently successful. Their schools will compare favorably with any in the United States. Can we not secure the same excellence throughout the state, and with proper support there is no reason why we should not? California may justly be proud of her school system, and yield the palm to no other state in the Union.

To effect this shall be my earnest endeavor, and with your co-operation, gentlemen, I am confident of success.

### SCHOOL LAW.

Section twenty eight of the school law empowers each county in the state to raise annually, by special tax, an amount of money not exceeding ten cents on each one hundred dollars of valuation, for the support of common schools therein, and providing suitable houses, and purchasing libraries and apparatus for such schools.

In many of the counties this is sufficient, but in others it produces scarcely enough to maintain the schools respectably for three months in the year. It must be borne in mind, too, that as the state becomes settled, the necessity for building school-houses and for furnishing those already built with libraries and apparatus, becomes more urgent. These are extraordinary expenses, which will probably be incurred only once, but they are the very first steps to be taken in the establishment of a school, and though required but once, cannot be effected from the ordinary revenue derived from a tax of ten cents on the hundred dollars. For such emergencies, a larger revenue is needed. I would therefore respectfully recommend that the law be so amended as to fix the maximum tax allowed to be imposed by the several counties for school purposes, at one-fifth of one per cent. It will be entirely under the control of the people of the counties themselves, and if they do not need or are unwilling to pay more than heretofore, they will not impose any additional tax. If they do temporarily need, and are unwilling, they should have the power.

There is another matter which has occupied much of the time of this department in its correspondence with the officers of the several counties. It has often happened that warrants upon the county treasury have been issued by the county superintendent in payment of teachers' salaries, when there was no cash at the time to the credit of the district. It became customary, in many of the counties, to pay these floating warrants out of school funds subsequently coming into the treasury.

From the strong equity of the case, the law being silent upon the subject, I have ruled that this might be done, provided section 31, for raising a balance due, by rate bill, had been fully complied with and proved insufficient.

But such practice, if continued, must seriously impair the efficiency of the public schools, by exhausting the fund of a given year in paying back indebtedness. I would therefore recommend that the law be so amended as to declare that no warrants shall be issued for school expenses unless there be funds at the time to the credit of the district, and that all school funds coming into the treasury after October 31, the close of the school year, shall be devoted exclusively to the payment of the expenses of that year, the surplus, if any, going to the credit of the next year. This will force the schools to maintain themselves as they go, and if they cannot do it, to suspend. Better this than exhaust the resources of years to come for present necessities.

The law requires district school trustees to report to the county superintendent

on or before the first day of November, and the marshals appointed to take the census of children in each district, to deliver a copy of their report to the trustees, by the tenth day of November. This occasions serious embarrassment, as it is important the trustees' reports should contain the number of children within their respective districts by the last census.

I would therefore recommend, that the dates be transposed—the marshals be required to report to the trustees by the first day of November and the trustees to the county superintendents by the tenth day of November.

### TEACHERS' INSTITUTES.

The number of teachers in the public schools has reached four hundred and eighty-six, and the time has arrived when the establishment of institutes for mutual improvement in their vocation becomes necessary. These institutes, you are aware, are convocations of teachers from all parts of the state, to compare notes, to receive instruction by lectures and otherwise, from the ablest and most experienced of their own number, and from distinguished citizens learned in matters likely to advance the cause of education and improve the system of teaching.

They are usually held for a week or ten days—two, three or more times during the year, and each time in a different place, convenient to the largest possible number of teachers.

A skillful and successful teacher is rarely found ready made. More or less of an apprenticeship is required for excellence in his vocation, as in all other learned professions, and yet hundreds undertake the calling with no other guide than their own crude notions. The art of teaching has wonderfully improved within the last twenty-five years. It is to instruct the instructors—to impart to them the perfection of this art, that these institutes are organized. I would urge your honorable body to authorize the Superintendent of Public Instruction to hold two such institutes at least, every year, at such places as he may see fit, and to make a small appropriation—three thousand dollars—to defray expenses.

One capable of instructing a body of several hundred teachers must himself be learned. This learning can only have been acquired by years of toil and study. It may require weeks to put his information upon the particular topic desired, in the most effective and comprehensive shape; such a lecturer should therefore be liberally compensated.

It is folly to rely upon the voluntary system. Wherever the services of suitable persons can be obtained without cost, they will be accepted, of course; but to insure the success of these institutes, they must receive some assistance from the state. Three thousand dollars applied to the improvement of teachers, will yield compound interest in the increased efficiency of the schools.

### SCHOOL OF INDUSTRY.

I am aware that a multiplication of recommendations is calculated to weaken the force of each, but I cannot permit the occasion to pass without earnestly invoking your aid in behalf of a school of industry, for the instruction and reformation of juvenile delinquents. I need not tell you that hundreds of unfortunate and vicious children are growing up in our state, without, or beyond the control and guardianship of parents and friends, to become fit instruments of crime. They are, in fact, serving an apprenticeship to the penitentiary and the gallows; and but too often, older criminals actually instruct them in the secrets of their craft.

They are too young as yet to be utterly abandoned, and if early restrained, and



placed under virtuous influences, may yet be reclaimed, and converted into useful citizens.

Efforts are being made by public-spirited citizens to establish a house of refuge or correction, where juvenile delinquents, who would be but hardened in crime, and lost beyond redemption, if sent to prison in the companionship of old offenders, may be restrained, and, if possible, reclaimed. The state could not act more wisely, than by supporting a school of industry in connection with such an institution. It would encourage those who are moving in the matter, and secure the success of their benevolent efforts.

### SCHOOL LANDS.

Of the 500,000 acres of land donated to the State by act of Congress, passed April 4, 1841, and devoted, by our Constitution, to the support of public schools, but 238,450 acres have been disposed of, yielding \$476,880; the interest of which, paid by the State, constitutes the greater part of the state School Fund, semi-annually apportioned. Two hundred and sixty-one thousand and five hundred and sixty acres yet remaining to be sold. It is apparent, this never can be done under the act of May 3, 1852, which provides for their disposition. That act is now, to all intents and purposes, a dead letter. During the past year, the sales of land under it have been but 2,080 acres.

It is folly to expect settlers to pay the state two dollars per acre for public land, when the United States is about to offer millions of acres for \$1 25 per acre. In fact, school land warrants, procured long since, but as yet unlocated, are selling at this moment for less than the purchasers paid the state. What then is to be done?

I reply, an immediate selection of the balance of the lands to which the state is entitled, before all the most valuable are taken up by the settlers, or disposed of at public sale by the United States. Such a sale is to take place in May next, at which over two million acres will be offered.

The selection should be made by the state, to as large an extent as possible, before this sale takes place, for lands will certainly rise in value immediately afterwards. When the selection is made, the title will at once rest in the state, and she can, at her leisure, make such disposition of them as she thinks proper. The act of May 7, 1855, it is true, provided for such selection; but it has proved altogether ineffectual. Under that act, but 9,280 acres have, up to this time, been selected.

After full investigation, I recommend that all the school lands be placed under the immediate charge of the State Board of Education, with power to appoint an agent, who shall, in conjunction with the Superintendent of Public Instruction, forthwith proceed to select all the lands to which we are entitled. This will secure the completion of the work in the shortest possible time. Under the present law, it will languish through years.

When selected, the board should be empowered to dispose of them, under judicious restrictions, at a minimum of \$1 25 per acre. It would not be policy to sell them all at the fixed price of \$1 25 per acre, for portions might be much more valuable, and parties be willing to pay a higher rate. Each succeeding year, it is likely, they will increase in value. Perhaps it would be wise to authorize the board to dispose of a certain number of acres, or the land in a certain county or counties, at stated times at public sale, after the manner of the United States sales, the minimum price being \$1 25 per acre, recognizing the right of pre-emptors to purchase at this rate, and obtaining from others the highest price possible. By pre-emptors here, I of course mean those who may have settled on the state lands after selection.

## TOWNSHIP LANDS.

Congress has donated to the state, the sixteenth and thirty-sixth sections in each township for the purposes of public schools.

This amounts to upwards of six millions of acres in the whole state, constituting a magnificent domain, which, if properly managed, must one day produce us a school fund far surpassing that of any other state in the Union.

I say, if properly managed, for all depends on this. In the act of Congress donating these lands, these sections "are granted to the state for the purposes of public schools in each township."

This has been, by common consent, construed to give the proceeds of these sections to the people of the townships in which they are located.

I am by no means certain an enlightened and liberal interpretation of the language of the act will not permit the proceeds of the sales of these lands to go into a general school fund, "for the purposes of public schools in each township," to be distributed equally among the several townships in the state. But whether this interpretation is permissible or not, to remove all doubts, I earnestly recommend your honorable body to instruct our honorable senators and representatives to obtain the passage of an act amending the present act so as to throw the proceeds of these sections into a general fund, for the benefit of the schools in the state at large. I consider this imperatively necessary, and if done at all, it must be done at once. A moment's consideration will show this. In some townships the sixteenth and thirty-sixth sections fall on splendid, arable lands, conveniently located for market, with all the elements of a first class farm. Indeed I am informed, on good authority, there are sections belonging to the state worth at this moment \$20 per acre. In other townships, the same sections fall on the sides or crests of rugged mountains, almost inaccessible to mules, or upon deserts utterly worthless. For these sections there never will be any sale, and the township in which they are located never will derive a dollar from the donation.

In many counties, too, these sections are very valuable, but happen to be covered by Mexican grants. This compels the selection of other sections, perhaps in localities hundreds of miles distant. In this way it may happen, the inhabitants of a township in Santa Cruz may own two sections in Tulare; and those of a township in Yuba, two sections in Del Norte; for the act of Congress permits the selection to be made, in the contingency spoken of, from any unoccupied public lands "in the same land district."

The inconvenience and confusion resulting from such a state of things, are apparent.

But the strongest argument in support of my views is the gross injustice to many of the less favored townships, arising from the present law. Convert these lands into a general fund, distributable to all the districts of the state, in proportion to the number of children residing therein, and there will be no complaint, because there will be no injustice on any side. This can be done now, but a year hence it may be too late. Other states have marked the unjust operation of this law, and have induced Congress to alter it as I have here recommended.

These township lands ought to be placed under the sole charge of the Board of Education, and disposed of as soon as possible, in the manner best calculated to make them available.

I am pleased to report, after an examination of the plats of the United States surveys, and conference with the land officers, that very few of the sixteenth and thirty-sixth sections have been pre-empted. Some of them may have been settled on after survey, but this does not divest the state of her title. I am assured that not over two or three sections will be lost to the state by pre-emption under the United States laws, and for these a selection may be made elsewhere. I would urge your honorable body to ask of Congress the privilege of selecting other lands

in lieu of such school sections as may fall on mountain, desert, or other worthless lands, in the same manner as provided for the location of those falling upon Mexican grants. Unless this is done, we shall lose a very large amount of school lands.

Such permission of Congress is not without precedent. Including the remainder of the 500,000 acres not disposed of, the seminary or university lands, and the sixteenth and thirty-sixth sections in each township, California owns full 6,300,000 acres of land—in round numbers, about 9,850 square miles. This exceeds the whole area of either of the states of New Hampshire, Massachusetts, Rhode Island, Connecticut, New Jersey and Delaware.

To manage such a domain is labor sufficient for any officer. To make it available would be a triumph for any administration.

If entrusted to the State Board of Education, I hope, with your co-operation and under your enlightened legislation, to succeed in this, and thus to signalize my administration of the department of public instruction.

### STATE UNIVERSITY, AND MILITARY INSTITUTE.

Our public schools have increased so rapidly and the pupils in many of those first established have progressed so far, that it becomes absolutely necessary to commence forthwith the establishment of a university, as the capping stone of our educational structure.

There are many students in our schools who are sufficiently advanced to enter such an institution at this moment, and that number will be considerably augmented by the time the most efficient measures for its establishment can be carried into execution. There are, it is true, several excellent colleges in the state, but they do not meet what I consider the great want of our people, and what I am confident a state university on the plan I shall have the honor to propose, may be made to become.

We need a great high school, wherein the graduates, or as many of them as possible, of our present schools, shall be educated at the expense of the state, and their talent be developed for useful and practical pursuits—pursuits calculated to promote the welfare and augment the material wealth of the state. To accomplish this end, the first step necessary is to select the seventy-two sections (46,080 acres) of public lands donated to the state by act of Congress, passed March 3, 1853, for the use of a seminary of learning.

If this selection is made at once, before all the most valuable lands are taken up for settlement, the basis for a splendid university fund may be obtained—a fund whose proceeds should in a few years be sufficient to support the institution without drawing from the ordinary resources of the state.

It would be unwise in my opinion to dispose of these lands now. They would realize but a pittance that would scarcely be appreciable in the building up of the university, while if entrusted to the State Board of Education, or of the regents, they might be husbanded until time should render them a magnificent domain.

What, then, are we to rely on to inaugurate this enterprise? I reply, a direct appropriation by the Legislature. I am aware that this declaration will at once suggest all manner of objections, but I think I can convince your honorable body that this is the most favorable time—that the state was never in so flourishing a condition—that the need is greatest, and that the appropriation will not only be acceptable to the community at large, but in the highest degree popular with our constituents.

Full eight years have elapsed since the constitution made it the duty of the Legislature "to provide effectual means for the improvement and permanent security of the funds of a university," and yet the first step remains to be taken.

Why should we delay longer? Our population has become permanently set-



tled—families, with full sixty thousand children under eighteen years of age, have taken up their residence here, to call this their home through all time to come. Thousands more would join us were they satisfied the means of a thorough education could be obtained for their young men.

The university, then, is eminently needed. For what, then, are we waiting? We must make a beginning sooner or later, and it rests with you, gentlemen of the Legislature of 1858, to immortalize yourselves as the founders of a great Pacific university. There is at present upwards of three hundred and fifty thousand dollars in the State Treasury, and by the first of July next, the amount will probably be swelled to five hundred thousand dollars. The state has therefore never been in better condition financially, and probably never will be again, to make a beginning in this matter. I would then respectfully, but most earnestly recommend your honorable body to appoint a board of regents for the selection of a site, and to appropriate one hundred thousand dollars for the erection of a suitable building for the university of California. Bear in mind that even if this be done at once, nearly or quite a year must elapse before the institution will be prepared to commence its labors.

As to its internal organization, I have but one recommendation to make, first, last, and all the time—that it be established on the military plan: following the system of West Point, and the military institutes of Virginia and South Carolina in its leading features, with such modifications as our peculiar circumstances may call for.

I prefer the military system for many reasons.

*First*—The graduate is an accomplished and scientific soldier, who in time of war will be capable of directing intelligently and efficiently any arm of the service, whether it be the engineers, the artillery, the sappers and miners, the cavalry, or the infantry; and bear in mind, gentlemen, that our state is likely to need, in coming years, such talent, above all other states in the Union.

We are far removed from the seat of the general government, and in time of foreign war or rebellion, must rely, in a great measure upon ourselves. Even though the federal government should be willing to support ten thousand troops in our midst to protect us from foreign invasion, the cost of transportation is so great, those troops would probably have to be raised and officered from our own people, and the likelihood of this is just in proportion to the educated skill and military talents of our population. In proof of this, are we not all satisfied that the military experience acquired by so large a number of our citizens in the Mexican war, will influence the federal government to call for troops, in the event of actual hostilities with the Mormons, from our own state rather than from any other in the Union. It would be indeed a foolish government that would not avail itself of soldiers ready made, such as abound in our midst.

It is to continue the supply of such soldiers through the next generation, that I urge the military system of education.

There is one other consideration, to which I allude with some hesitation, but the true statesman should look, not only to probabilities, but to possibilities; and it is possible there may one day be a separation between the Atlantic and Pacific states, and the establishment of an independent republic upon our coast. God grant that it may not be in our time—that it may never be! But a century is but a span in the life of a nation, and less than a century may see this realized.

Circumstances may force it when least expected; but come when it may, it is the part of wisdom to be prepared for it; and what greater or better preparation than the existence of a high military school—a West Point in full organization in the young republic?

*Second*—The military system is eminently calculated to develop the physical powers, and to give to the student a soldier-like and manly bearing. The system contemplates constant drill and the most invigorating exercise in the open air.

Instead of the pale and stooping scholar, enervated by confinement, with constitution sapped by close application and consequent neglect of physical education, such as but too often leaves the portals of our colleges, we shall find the graduate of such an institution as we would have, robust in frame, blooming in health, erect in figure, accomplished in all manly arts, and capable of enduring any hardships to which a life in California may expose him.

*Third*—The military system encourages and begets a high tone of honor among the students. They are considered and treated as gentlemen incapable of a dishonorable act, until the contrary is proved, and then the scorn of their fellows is keener punishment than the most straight-laced faculty could inflict.

Let the rules of discipline be plain, full, and emphatic, and as stringent as you please, and let him who infringes them be tried by a court-martial of the officers of the companies into which the student will be enrolled, and those officers his fellow-students of the highest grade, and he will submit with far better grace, to any punishment to be inflicted—never degrading—than if sentenced at the arbitrary pleasure of an individual, even though that individual be the most upright of professors.

A judgment of expulsion by such a court would be a stain through life that none but the most abandoned would incur.

Never fear but such a tribunal would enforce the rules and maintain discipline; the *esprit du corps* always has and always will ensure this. But, gentlemen, while the military system possesses all these advantages it is not the end of a university education, it is only a valuable means—a useful adjunct.

The end and object is to train up and send forth into actual life our youth skilled in practical pursuits—capable of assuming at once a position, and relinquishing dependence upon their parents and guardians.

Ours is eminently a practical age. We want no pale and sickly scholars, profound in their knowledge of the dead or other languages and customs. We need energetic citizens, skilled in the arts of the living, and capable of instructing their less favored fellows in the pursuits that contribute to the material prosperity of our state. For what useful occupation are the graduates of most of our old colleges fit? and not of ours alone, but of the time-honored universities of England. Many of them are bright scholars, ornaments to their *alma mater*—they are perhaps all that the system under which they have been instructed could make them; they are learned in the antiquities of nations long since gone; they are eloquent in Latin; they may write a dissertation on the Greek particle; be masters of the rules of logic and the dogmas of ethics—all valuable acquirements, it is true—but when, after years of toil, they have received their diploma, their education for practical life has just commenced. They have still to study for a profession—are still dependent upon their parents.

This may do for old settled communities, but it will never answer for California. A young man at seventeen, eighteen, or twenty years of age, in this state, must expect to start in life for himself. He must have some occupation that will maintain him. Longer dependence is not to be tolerated or expected.

To fit our youth for such occupations, to end this dependence, must be the object of our university.

I would, therefore, urge that such professorships only shall be established, at first, as will turn out practical and scientific civil engineers; mining engineers; surveyors; metallurgists; smelters; assayers; geologists, or scientific prospectors; chemists; both manufacturing and agricultural architects; builders; and last, but not least, school teachers.

For all these there will be a demand, increasing every year; and of all university graduates, they are the most likely to obtain immediate and profitable employment in California. I need not enlarge upon this.

Let me call your attention, however, to the necessity of educating a class of our young men in mining engineering.

The character of mining has undergone great changes since 1849 and '50.

Enterprises are now conducted on an extensive scale. Tunnels of great magnitude, with labyrinthine galleries, are run into the mountains; deep shafts, with far-stretching drifts, are sunk; quartz-works and mills are multiplying. In all these enterprises, a skillful engineer would be a valuable acquisition; and, as they progress in magnitude, his services would become indispensable. It is from the want of such directing intelligence that we so often hear of accidents in the mines. Our state has scarcely started in the work of internal improvements. None offers more inducements—in none will more be needed. For these, we shall require civil engineers and surveyors, and all such will, in a few years, find employment.

I would not recommend the state to support all the students that may apply for admission into the university. On the contrary, I think it may be made almost immediately a self-sustaining institution.

Let the state educate, at her expense, some sixty or seventy students annually; say two from each senatorial district, to be nominated by the senators—preferring orphans, and youths whose parents are in indigent circumstances—and let all others pay whatever prices may be fixed upon; and, my word for it, we shall have four or five hundred paying students in our university in a very few years—amply sufficient to relieve the state from any further expense for its support.

With such an institution, no ordinary college could compete. It would become popular at once. In return for the education given to the state students—and by such, I mean those nominated by the senators—it might be made a condition with them to teach in the public or other schools for two years after graduation.

This would at once supersede the necessity of a normal school, while the graduates, being prepared expressly for the vocation, would always be preferred by trustees and parents throughout the state.

The actual expense incurred by the state would be small, but whether small or large, it could not be more profitably laid out than in the training of an intelligent corps of instructors.

In what I have said, I would not be understood as undervaluing scholastic attainments, or what are commonly styled the learned professions.

For these, the plan of a grand university must, of course, make provision; but that provision should only be a prospective extension—an increase of professors' chairs, as they may be needed. At present, we certainly should not suffer for want of them.

We have a full supply of lawyers and doctors. For the mere bookworm, the Latin and Greek antiquarian, this is certainly not the country.

I have here set forth the leading features of a university, such as California needs. There are many details that I should be pleased to suggest, should your honorable body see fit to take hold of the matter in earnest, and carry out the views I have here expressed. I verily believe they will redound to the glory and advantage of our young state, and I am confident they are practical.

It will be an honor of which I shall always be proud, should I be instrumental in organizing such an institution as I have described.

For this I shall not cease to strive. It rests with you, gentlemen of the Legislature of 1858, to signalize your session and stamp your name with imperishable honor, as the enlightened founders of the university of the Pacific.

Accompanying this report, I submit a series of elaborate statistics, showing the past operations and the present condition of the schools in each county of the state, as required by law.

They are so voluminous, I would not advise they be printed, except the tables

marked appendix, A and B, which are condensed statements of much value for reference.

ANDREW J. MOULDER,  
Superintendent of Public Instruction.

DEPARTMENT OF INSTRUCTION, Jan. 8, 1858.





## APPENDIX.

## APPENDIX A.

COUNTIES.	CHILDREN REPORTED BY CENSUS.					NO. OF SCHOOLS.*					NO. OF TEACHERS.*					AMOUNT APPORTIONED.				
	1853.*	1854.	1855.	1856.	1857.	1854.	1855.	1856.	1857.	1854.	1855.	1856.	1857.	1853.	1854.	1856.	1856.	1856.	1857.	
Alameda .....	577	745	847	1039	6	7	14	16	21	6	9	19	21	.....	\$1072 35	\$1489 83	\$2448 99	\$1763 52		
Amador .....	339	432	868	986	5	7	3	10	5	9	4	16	16	.....	882 38	1547 88	1996 20	1770 40		
Butte .....	55	247	275	469	583	3	4	7	9	3	5	7	13	.....	426 89	621 53	1202 85	1000 80		
Calaveras .....	209	325	527	667	728	5	6	12	5	8	9	14	17	\$306 60	663 83	1015 98	1559 67	998 16		
Contra Costa .....	258	480	487	661	633	5	9	10	12	5	12	16	17	1165 10	980 43	998 54	1850 37	1037 68		
Colusa .....	.....	29	.....	237	.....	.....	1	.....	8	.....	1	.....	8	1438 26	.....	34 80	45 24	208 56		
El Dorado .....	1195	1400	1739	1812	14	14	14	19	16	14	16	19	19	.....	2440 86	2866 05	4761 63	3403 12		
Humboldt .....	54	186	186	227	254	3	4	5	5	3	4	5	5	301 03	379 91	398 33	606 99	417 36		
Klamath .....	31	42	.....	.....	.....	1	.....	.....	.....	1	.....	.....	.....	172 81	85 79	49 57	.....	.....		
Los Angeles .....	908	1191	1522	1584	1705	6	5	7	8	7	9	13	10	4019 32	2432 70	3232 12	4987 92	3147 76		
Marin .....	155	270	31	325	1	.....	1	.....	.....	1	.....	1	.....	.....	153 19	182 94	51 15	32 24		
Mariposa .....	181	121	224	263	300	2	2	6	4	2	3	7	4	222 98	247 14	423 61	798 99	537 52		
Merced .....	.....	.....	106	115	.....	.....	3	3	.....	.....	3	3	3	.....	.....	.....	174 90	211 44		
Monterey .....	507	627	993	871	816	2	7	8	6	3	8	12	6	2826 34	1280 68	1931 64	2821 23	973 44		
Napa .....	349	477	635	911	4	4	6	10	13	4	7	10	15	.....	712 85	984 32	1885 47	1462 08		
Nevada .....	209	555	760	853	1046	3	6	6	8	5	7	7	9	1075 90	1004 94	1567 06	2098 05	1343 68		
Placer .....	95	300	161	508	854	4	3	4	15	4	4	4	21	529 59	529 02	547 29	918 45	1279 84		
Plumas .....	44	93	99	97	.....	.....	1	1	1	.....	1	1	2	.....	.....	141 93	280 35	188 32		
Sacramento .....	1175	1990	2137	2223	2831	17	18	26	31	17	18	26	33	741 43	3809 39	4496 76	6460 35	4511 92		
San Bernardino .....	196	402	838	1042	1142	4	7	16	18	8	9	16	18	1093 83	821 11	956 87	2346 42	1955 76		
San Diego .....	.....	99	117	123	138	1	1	1	1	1	1	1	2	.....	202 21	257 25	385 47	249 36		
San Francisco .....	3252	3447	4940	4751	5070	12	16	30	24	45	47	70	58	18685 11	8057 86	10784 90	14907 51	9402 64		
San Joaquin .....	301	993	1109	1267	1707	14	17	20	22	17	21	25	23	3183 13	2028 27	2502 83	3820 59	2487 20		
San Luis Obispo .....	300	.....	332	325	.....	.....	1	.....	.....	.....	1	.....	.....	1672 40	.....	776 09	517 92	338 00		
San Mateo .....	.....	.....	315	374	.....	.....	6	5	.....	.....	.....	6	5	.....	.....	.....	1157 79	656 72		
Santa Barbara .....	347	692	819	977	.....	.....	3	.....	.....	.....	4	.....	.....	.....	.....	409 56	1079 52	1642 88		
Santa Clara .....	1343	1617	1751	1678	1967	12	15	16	18	12	15	18	27	7235 89	3302 82	3841 72	5281 86	3476 08		
Santa Cruz .....	243	424	319	618	676	4	2	.....	.....	3	4	6	.....	9	866 04	883 24	617 76	1237 60		
Shasta .....	194	336	317	323	370	3	4	7	5	3	6	7	6	1081 48	686 31	848 98	1064 97	548 72		
Sierra .....	96	189	241	398	423	2	2	4	5	2	2	4	8	245 28	181 79	370 67	774 33	579 20		
Siskiyou .....	70	93	157	246	385	1	1	.....	.....	5	1	1	5	390 23	189 96	298 16	244 98	262 24		
Solano .....	484	574	641	836	1114	6	9	6	11	6	10	7	12	1739 29	1172 43	1446 69	1874 46	1664 96		
Sonoma .....	99	1021	1253	1694	2291	15	23	34	28	15	31	35	41	531 89	2085 44	2694 28	4731 06	3609 76		
Stanislaus .....	.....	81	74	178	197	.....	2	3	2	.....	.....	3	3	.....	.....	181 40	409 14	266 08		

Sutter .....	78	199	236	276	1	3	5	6	1	4	5	6	.....	159 32	314 06	678 00	488 32
Tohama .....	.....	.....	73	192	.....	.....	1	2	.....	.....	1	2	.....	85 79	.....	392 45	191 20
Trinity .....	35	80	.....	118	1	1	.....	1	1	1	.....	1	195 11	.....	49 57	.....	103 84
Tulare .....	73	82	88	161	2	1	2	2	2	1	3	2	.....	149 11	181 56	273 12	233 20
Tuolumne .....	19	809	1145	1259	4	8	11	8	4	8	12	12	.....	694 47	1547 96	2895 54	2137 52
Yolo .....	334	477	379	571	3	4	6	8	3	5	6	12	.....	576 00	918 62	1307 07	896 64
Yuba .....	242	498	854	1042	2	7	14	14	4	7	16	16	1349 07	743 50	1027 22	2306 10	1805 12
Totals .....	11,242	26,077	30,039	35,722	168	227	313	367	214	301	399	486	\$53,511 11	\$39,104 78	\$52,827 81	\$82,014 80	\$58,520 88

\* In the year 1853, there were 53 Schools and 56 Teachers.

## APPENDIX B.

COUNTIES.	Total number of children attend- ing schools in 1857.	Daily average at- tendance in '56.	Daily average at- tendance in '57.
Alameda, - - - -	397	249	277
Amador, - - - -	523	87	265
Butte, - - - -	327	105	197
Calaveras, - - - -	283	99	171
Contra Costa, - - - -	513	194	322
Colusa, - - - -	82	31	55
El Dorado, - - - -	684	304	351
Humboldt, - - - -	148	74	62
Los Angeles, - - - -	480	180	203
Mariposa, - - - -	96	64	65
Merced, - - - -	54	22	34
Monterey, - - - -	203	251	120
Napa, - - - -	458	101	283
Nevada, - - - -	157	107	90
Placer, - - - -	362	.....	232
Plumas, - - - -	37	12	15
Sacramento, - - - -	1400	876	920
San Bernardino, - - - -	991	599	712
San Diego, - - - -	49	53	33
San Francisco, - - - -	4637	2927	2155
San Joaquin, - - - -	681	398	443
San Mateo, - - - -	102	75	94
Santa Barbara, - - - -	119	.....	80
Santa Clara, - - - -	789	364	430
Santa Cruz, - - - -	199	.....	143
Shasta, - - - -	107	78	68
Sierra, - - - -	66	.....	35
Siskiyou, - - - -	172	.....	76
Solano, - - - -	383	132	224
Sonoma, - - - -	938	260	541
Stanislaus, - - - -	55	.....	39
Sutter, - - - -	159	68	107
Tehama, - - - -	71	26	48
Trinity, - - - -	34	.....	33
Tulare, - - - -	56	32	30
Tuolumne, - - - -	496	199	324
Yolo, - - - -	292	84	160
Yuba, - - - -	626	250	280
Total, - - - -	17,232	8301	9717

Daily average attendance in 1855, - - - - - 6422

## SEMI-ANNUAL APPORTIONMENT OF THE STATE SCHOOL FUND,

*According to Annual Census Return of the Number of Children residing within School Districts where Schools have been maintained, in accordance with law, for three months, in the year ending October 31, 1857.*

COUNTIES.	Children Reported by Census.	Children where Schools have been maintained.	Amount Appropri- ated.*
Alameda, - - - -	1039	1003	\$882 64
Amador, - - - -	986	986	867 68
Butte, - - - -	583	583	513 04
Calaveras, - - - -	728	606	533 28
Contra Costa, - - - -	633	398	350 24
Colusa, - - - -	237	237	208 56
El Dorado, - - - -	1812	1812	1594 56
Humboldt, - - - -	254	206	181 28
Los Angeles, - - - -	1705	1705	1500 40
Marin, - - - -	325	.....	... ..
Mariposa, - - - -	300	300	264 00
Merced, - - - -	115	115	101 20
Monterey, - - - -	816	195	171 60
Napa, - - - -	911	911	801 68
Nevada, - - - -	1046	767	674 96
Placer, - - - -	854	854	751 52
Plumas, - - - -	97	97	85 36
Sacramento, - - - -	2831	2500	2200 00
San Bernardino, - - - -	1142	991	872 08
San Diego, - - - -	138	138	121 44
San Francisco, - - - -	5070	5070	4461 60
San Joaquin, - - - -	1707	1329	1169 52
San Mateo, - - - -	374	374	329 12
Santa Barbara, - - - -	977	899	791 12
Santa Clara, - - - -	1967	1967	1730 96
Santa Cruz, - - - -	676	676	594 88
Shasta, - - - -	370	282	248 16
Sierra, - - - -	423	241	212 08
Siskiyou, - - - -	385	298	262 24
Solano, - - - -	1114	917	806 96
Sonoma, - - - -	2291	2100	1848 00
Stanislaus, - - - -	197	92	80 96
Sutter, - - - -	276	276	242 88
Tehama, - - - -	192	131	115 28
Trinity, - - - -	118	118	103 84
Tulare, - - - -	161	161	141 68
Tuolumne, - - - -	1259	1259	1107 92
Yolo, - - - -	571	571	502 48
Yuba, - - - -	1042	1042	916 96
Total, - - - -	35,722	32,207	\$28,342 16

\*At 88 cents each. [NOTE.—From Del Norte, Fresno, Klamath and San Luis Obispo, no report.]

Apportionment approved, December 31st 1857.

J. NEELY JOHNSON,  
JOHN A. BREWSTER, } State Board  
ANDREW J. MOULDER, } of Education.

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FIFTH ANNUAL REPORT

OF THE

TRUSTEES OF THE INSANE ASYLUM,

OF THE STATE OF CALIFORNIA.

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JOHN O'MEARA, STATE PRINTER.

## ANNUAL REPORT OF THE INSANE ASYLUM TRUSTEES.

---

STOCKTON, January 11, 1858.

*To the Hon. Joseph Walkup, President of the Senate :*

SIR :—Herewith is submitted the annual report of the Trustees of the State Insane Asylum.

Respectfully yours,

P. EDWARD CONNER,  
President of Board of Trustees.



## OFFICERS OF THE ASYLUM.

---

### *Trustees :*

P. Edward Conner, President,	-	-	-	-	-	-	Stockton.
H. T. Huggins, Vice President,	-	-	-	-	-	-	Stockton.
W. H. Lyons, -	-	-	-	-	-	-	Stockton.
Andrew Lester, -	-	-	-	-	-	-	Stockton.
Thomas Marshall, -	-	-	-	-	-	-	Stockton.

### *Resident Officers :*

W. D. Aylett, M. D.,	-	-	-	Superintendent and Physician.
Thomas Kendall, M. D.,	-	-	-	Assistant Physician.
P. E. Jordan, -	-	-	-	Steward.
_____ ,	-	-	-	Matron.
H. T. Compton, Treasurer and Secretary,				Stockton.



# FIFTH ANNUAL REPORT.





# ANNUAL REPORT

OF THE TRUSTEES OF THE STATE INSANE ASYLUM,

*For the year ending December 31, 1857.*

THE trustees of the state insane asylum, in compliance with the organic act of the institution, requiring an annual report to the Legislature, "showing the annual receipts and expenditures; the condition of the asylum; the number of patients admitted during the year; the number remaining at the date of the report; and such other matters touching the general affairs of the asylum as they may deem advisable," respectfully submit the following

## REPORT:

The present board of trustees entered upon the discharge of their duties on the second day of August, A. D. 1857.

From the date of our appointment by the Legislature, up to the month of July, a question regarding the legality of the appointment of the resident and visiting physicians was pending in the courts, upon the decision of which depended the validity of our appointment. That question having been decided by the Supreme Court, our predecessors, on the first day of August, yielded up their trust, and the present board entered upon the discharge of their duties, commencing with the second day of August. The financial condition of the institution, at that time, was as follows:

The outstanding indebtedness amounted, in the aggregate, to the sum of	\$13,334 56
During our administration there has accrued an additional indebtedness of	3,145 65
Making the entire amount of indebtedness outstanding against the institution, and unprovided for, on the 31st December, 1857,	<u>\$16,480 21</u>

The items composing that amount, with the names of the persons to whom the same is due, with the date when each was contracted and audited, and what for, appears in the annexed schedule, marked A.

These constitute a just demand against the state. Of those audited by our predecessors, we have made inquiry, and are satisfied they are correct; and such as have been allowed by us have passed, after a thorough and careful examination.

We respectfully but earnestly urge upon the Legislature the propriety of making immediate provision for the payment of this indebtedness.

The debts were contracted, upon the faith and credit of the state, to supply the absolute wants of the institution. Most of the creditors have been long delayed in receiving payment, and at heavy sacrifices. The decision of the Supreme Court, declaring the outstanding state indebtedness unconstitutional, prevented the last Legislature from making any appropriation for the payment of the amount then due. The vote on this question, at the last election, having obviated that difficulty, there is now no reason why these claims should not be paid.

The insane asylum has always labored under great embarrassment, by reason of its indebtedness. Until recently, its receipts have been in the form of state securities, which have, necessarily, been turned into cash at a large discount. Besides, the appropriations themselves, had the institution realized dollar for dollar, have always been insufficient to meet current expenses. Consequently, we found it largely in arrears, and the estimate for each month has been entirely absorbed in paying up prior outstanding demands.

Hence has resulted an impaired credit, and supplies have been purchased, not at cash prices, but at rates enhanced by the delay and uncertainty of payment.

Under the present financial condition of the state, this difficulty may, and should, be obviated; but this can only be done by freeing the institution of debt.

Then, with credit restored, and payments prompt and certain in cash, a great saving can be made in the purchase of supplies.

We would further suggest, in this connection, that inadequate appropriations result in anything but economy.

The patients *must* be fed, clothed, warmed and amply supplied with all the wants incident to their unfortunate condition. Humanity demands this, the people of the state expect it, and the Legislature will require it at the hands of those having these unfortunates in charge. Should the appropriation prove insufficient, they must neither go hungry, naked, nor suffer, and it becomes necessary to resort to purchases on time to meet the deficiency. When the payment comes to be made, some twenty or twenty-five per cent. more is required to pay the accounts than would have been requisite if an adequate appropriation had been made at the outset.

The entire receipts since the last annual report, as appears from the treasurer's books, have been as follows:

From the general appropriations for current expenses, - - -	\$46,871 44
From the special appropriation for furniture for new wing, - -	4,000 00
From the special appropriation for removing and repairing house of resident physician, - - - - -	3,000 00
From the special appropriation for building physician's residence, -	4,500 00
From the special appropriation for seeds, farming utensils, and culti- vating ground, - - - - -	5,000 00

Which have been expended as follows:

BY OUR PREDECESSORS.

From furniture fund, - - - - -	\$3,509 63
From agricultural fund, - - - - -	1,441 30
From general appropriation, - - - - -	23,371 02

## EXPENDED DURING OUR ADMINISTRATION.

From fund for furnishing new wing, - - - - -	\$490 37
From fund for removing and repairing residence of physician, - - - - -	1,519 50
From fund for building residence, - - - - -	4,355 63
From fund for agricultural purposes, - - - - -	2,331 58
From general fund, - - - - -	24,598 18

The balance of the appropriation for removing and repairing residence was transferred by us to the general fund, and constitutes a portion of last item.

There remains in the treasurer's hands, to the credit of the agricultural fund, - - - - -	\$1,207 32
To the credit of the building fund, - - - - -	144 37
To the credit of the general fund, - - - - -	382 74

All of which will be required for the purposes of the several appropriations. The new wing has been furnished as contemplated by the appropriation. The former physician's residence has been removed to another part of the grounds, and placed in a condition to make it useful to the institution.

The kitchen, which we found utterly unfit for the purposes for which it was used, being an inconvenient wooden structure, remote from the eating apartments, and subjecting the other buildings to great danger from fire, has been removed, and its place supplied by a brick kitchen, safe and convenient, suitably furnished and adequate to the wants of the asylum.

From the same fund, cold and hot baths of a temporary character have been provided.

With the appropriation for that purpose, a physician's residence has been constructed, of brick, substantial, convenient, and fully worth the amount which it has cost.

It becoming necessary to provide suitable furniture for the new residence, such articles as he deemed requisite were purchased under the direction of the resident physician, with our approval. The bills for this expenditure have been audited by us, and we, finding them correct, have allowed the same. No appropriation having been made for that purpose, these bills form a part of the outstanding indebtedness specified in schedule A.

With the agricultural fund, the foundation has been laid for a thorough cultivation of the land belonging to the asylum. Eighty-eight acres have been broken up and sowed with oats and barley. Fruit trees have been set out; conveniences erected for raising water, and utensils and implements for farming have been purchased.

The balance remaining to the credit of this fund will be devoted to carrying out the design of the appropriation.

We entirely concur with the resident physician in his suggestions and recommendations respecting the cultivation of the grounds of the asylum. The establishment of a farm, a dairy, and a garden, cannot fail, while it will contribute much to the health and comfort of the patients, to diminish the current expenses.

There was appropriated, for the current expenses of the fiscal year, commencing July 1st, 1857, and ending June 30th, 1858, inclusive, the sum of forty thousand dollars.

Of this amount there has already been drawn and expended the sum of \$25,252 50. Add to this last sum the amount of indebtedness that has accrued, and the amount carried to the general fund from the removal fund, and it will



appear that the expenditures, exclusive of the special appropriations, have averaged not far from five thousand dollars per month.

This expenditure has been made under the immediate direction of the resident physician, as provided by the act of 1854. The monthly estimates made by us have been within a fraction of \$3,800 per month; these estimates have been made rather with a view to the meagre appropriation made by the Legislature, than from any well grounded expectation that the expenses could be kept within that limit.

Although the expenses have greatly exceeded the estimates, yet, after deliberate and careful examination, we are compelled to the conclusion, that the positive wants of the institution, and a proper regard for the health, comfort, and proper treatment of the patients, have required all the outlay that has been made.

Observation and experience have satisfied us, that the present number of patients, and in view of their probable increase, the expenses of the institution, cannot be brought much within six thousand dollars per month, having proper regard to their welfare and comfort.

We do not doubt, that by a rigid, parsimonious system, the entire number might be maintained, and soul and body kept together at a less expense; but we apprehend that the insane asylum of California was intended for something more exalted than this; that the people expect, and the friends of the unfortunate inmates have a right to demand, for each a comfortable maintenance, with all the appliances requisite to effect a cure; that the institution should be placed and maintained on a scale equal to the best regulated asylums of other states of the Union. On this point, we respectfully refer the Legislature to the remarks and suggestions of the resident physician, contained in his report submitted herewith, in all which, we most cordially concur.

For the number of patients admitted and discharged, and the number remaining at the date of this report, we refer the Legislature to table second, annexed to the report of the resident physician, from which it appears there were on the first of August, one hundred and sixty-two patients, and on the first of January, one hundred and eighty-eight; being an actual increase of twenty-six, and an addition of one-seventh of the whole number, in five months. There is every reason to believe, that as the population of the State increases, the number of patients in the insane asylum will increase in the same proportion. We deem this a very important consideration, when estimating the probable future expenses of the institution. In directing the attention of the Legislature to the annual report of the resident physician, we take occasion to say, in reference to the manner in which he has discharged his duties—his zeal for the welfare of his patients, his fidelity to the interests of the institution, and the ability with which he has executed his trust, entitle him to our unqualified approbation. He has been ably and efficiently seconded by the assistant physician, and although that officer's relations to the institution and with us, are not such as to enable us to be as thoroughly informed of the manner in which his duties have been discharged as we are with regard to the resident physician, we have the assurance that he has faithfully and skillfully performed his duty.

We respectfully call the attention of the Legislature to the several recommendations of the resident physician for the improvement of the institution. While we believe each of them to be judicious, and called for by the exigencies of the asylum, there are certain of them absolutely indispensable and immediately required. These are—

1. A mad-house, where the violent and noisy can be entirely separated from the orderly and quiet patients.
2. Immediate provision should be made to prevent escapes. With all the care and vigilance that can be exercised, under the present arrangements, it is impossible to prevent some from escaping. Five have eloped since the first of August,

whom it has been impossible to recover, while others have escaped, and only been restored at considerable expense.

The wooden bars on the windows are insufficient, being easily removed, and affording a formidable weapon in the hands of a violent patient. These should be replaced with iron.

The wooden fence surrounding the grounds allotted to the exercise of the patients in the open air, should be removed, and a substantial brick wall erected in its stead.

3. A dining room for female patients is absolutely required.

Of these patients there are at present thirty-two, from every class, condition, and color. Among them are well-bred respectable females, who have been accustomed to the comforts and refinements of civilized life; others, are of the most abandoned of the sex. While usually during the day and night they can be and are classified and kept apart, at their meals, as the apartments are now arranged, they are, by necessity, brought together in a limited apartment—the virtuous and the vicious, the pure and the degraded, side by side. No man who has a mother, wife or sister, whom he respects, can hesitate to say, that the necessary appropriation must be made to remedy this evil.

4. The southern wing requires reconstructing. From some fault or deficiency in the original construction, the outer walls are settling, the ceilings cracked, and, in the opinion of competent architects, unless some remedy is immediately applied, there is danger of its falling to pieces.

In conclusion, we respectfully recommend the following appropriations as being in our judgment absolutely necessary :

#### GENERAL APPROPRIATIONS.

For defraying expenses for the six months ending June 30, 1858,	\$20,000 00
For defraying expenses of the fiscal year from July 1, 1858, to June 30, 1859, inclusive, (see estimate of resident physician for expenditures in 1858,)	\$72,000 00

#### SPECIAL APPROPRIATIONS.

For the payment of the outstanding indebtedness of the asylum, as appears from the annexed schedule (marked A),	\$16,480 00
For the brick wall enclosing asylum yard,	\$ .....
For mad-house for male and female patients,	\$ .....
For bathing-rooms,	\$ .....
For privies,	\$ .....
For iron bars for windows,	\$ .....
For store-house,	\$ .....
For reconstruction of southern wing,	\$ .....

All which is respectfully submitted.

P. EDW. CONNOR, President.	} Trustees.
H. T. HUGGINS,	
ANDREW LESTER,	
THOMAS MARSHALL,	
W. H. LYONS,	

JANUARY 6, 1858.

[A.]

*List of Accounts against Insane Asylum unpaid January 1, 1858.*

Date of account	When audited.	To whom due.	Amount.
1856.	1856.		
March 31	April 7	Steamer Urilda, for transporting patients,	\$17 00
July 31	August 16	E. S. Holden, drugs, - - -	132 32
July 31	August 16	Steamer Cornelia, for transporting patients,	17 00
August 31	September 2	Webster & Haite, crockery, etc., - -	19 80
August 31	September 2	San Francisco Herald newspaper, - -	15 00
Sept. 30	September 2	John Gross & Co., bread, - - -	466 00
Sept. 30	September 2	Webster & Haite, crockery, - - -	4 25
October 31	November 3	Tesky & Choate, tinware, - - -	59 50
October 31	November 3	J. Sarles, milk, - - -	69 75
October 31	November 3	Fox & O'Conner, liquors, - - -	76 50
October 31	November 3	Mills & Dall, tinware, etc., - - -	55 87
October 31	November 3	John W. Whiting & Co., lumber, - -	60 28
October 31	November 3	Sanders & Hickman, hardware and tin,	202 39
October 31	November 3	Hart & Derrick, blacksmith work, - -	3 00
October 31	November 3	J. T. Rosenbaum, stationery, etc., - -	55 50
October 31	November 3	Luchsinger & Hubbard, furniture, - -	146 75
October 31	November 3	Stockton Foundry, castings, - - -	30 00
October 31	November 3	John Gross & Co., bread, - - -	442 14
Nov. 30	December 3	Mark A. Evans, hay, - - -	28 00
Nov. 30	December 3	Wm. P. Shaw, carpenter's work, - -	5 00
Nov. 30	December 3	Gove & Co., groceries, - - -	31 00
Nov. 30	December 3	Jas. Hale, vegetables, - - -	11 96
Nov. 30	December 3	Eldridge & Bro., vegetables, - - -	139 20
Nov. 30	December 3	Simpson & Gray, lumber, - - -	15 15
Nov. 30	December 3	Luchsinger & Hubbard, furniture, - -	61 00
Nov. 30	December 3	Sanders & Hickman, dry goods, - -	52 75
Nov. 30	December 3	State Bakery, bread, - - -	450 00
Nov. 30	December 3	Marks & Bro., clothing, - - -	92 77
Nov. 30	December 3	C. O. Burton, daily papers, - - -	23 58
Nov. 30	December 3	J. F. Rosenbaum, magazines and stationery,	6 75
Nov. 30	December 3	A. S. Gage, paints and oil, - - -	34 00
Nov. 30	December 3	Fox & O'Conner, liquors, - - -	57 50
Nov. 30	December 3	B. Crozier, vegetables, - - -	59 13
Nov. 30	December 3	Kenney & Co., crockery, - - -	23 50
Nov. 30	December 3	J. Sarles, milk, - - -	67 50
Nov. 30	December 3	Hart & Derrick, blacksmithing, - -	8 25
Nov. 30	December 3	Cohn & Co., clothing, - - -	173 25
December 3	December 3	T. Morton, drayage, - - -	2 00
December 3	December 3	El Dorado stable, horse hire, - - -	4 00
	1857.		
December 3	February 3	Eldridge & Bro., vegetables, - - -	146 21
December 3	February 3	Johnson & Reaz, carpenter's bill, - -	66 00
December 3	February 3	E. Kalischer, clothing, - - -	5 00
December 3	February 3	State bakery, bread, - - -	450 00
December 3	February 3	Sanders & Hickman, hardware and tinware,	117 62
December 3	February 3	O. C. Gage, oil, - - -	7 50



Date of account	When audited.	To whom Due.	Amount.
1857.	1857.		
December 3	February 3	D. Cohn, clothing, - - - -	\$334 35
December 3	February 3	Fox & O'Conner, liquors, - - -	28 00
December 3	February 3	Simpson & Gray, lumber, - - -	115 71
December 3	February 3	L. Nilhae, vegetables, - - - -	27 20
December 3	February 3	Kenney & Co., crockery, - - - -	9 00
December 3	February 3	J. F. Rosenbaum, stationery, etc., -	17 75
December 3	February 3	J. M. Thorn, returning escaped patient,	14 50
1857.			
January 31	February 3	Hart & Derrick, blacksmithing, - -	4 50
January 31	February 3	Webster & Haite, crockery, - - -	18 00
January 31	February 3	Gray & Hickman, dry goods, - - -	\$6 38
January 31	February 3	R. K. Eastman, lime, - - - -	16 00
January 31	February 3	Mr. Wagner, mending boots, - - -	2 50
January 31	February 3	Wm. Lord, mason work, - - - -	15 00
January 31	February 3	D. Cohn, clothing, - - - -	264 64
January 31	February 3	Sanders & Hickman, tin and hardware, -	51 52
January 31	February 3	Wm. Ward, meat, - - - -	408 33
January 31	February 3	State Bakery, bread, - - - -	450 00
January 31	February 3	C. R. Bowen, groceries, - - - -	528 56
January 31	February 3	Eldridge & Bro., potatoes, etc., - -	185 66
January 31	February 3	Timothy Sliven, plastering, - - -	15 00
January 31	February 3	Charles S. Morris & Co., clothing, etc., -	63 00
January 31	February 3	Luchsinger & Hubbard, furniture, -	99 33
January 31	February 3	Fox & O'Connor, liquors, - - - -	49 00
January 31	February 3	Simpson & Gray, lumber, - - - -	14 46
January 31	February 3	Wm Johnson, whitewashing, - - -	20 00
January 31	February 3	Bird & Co., harness, - - - -	22 00
January 31	February 3	Nash & Beamis, shoes, - - - -	30 50
January 31	February 3	J. F. Rosenbaum, stationery, - - -	23 75
January 31	February 3	Kenney & Co., crockery, - - - -	10 00
January 31	February 3	L. Nilhae, vegetables, - - - -	34 04
January 31	February 3	S. P. Chrasty, salary, - - - -	100 00
January 31	February 3	C. Benjamin, salary, - - - -	75 00
January 31	February 3	Mrs. E. Benjamin, salary, - - - -	60 00
January 31	February 3	Mr. Welch, salary, - - - -	75 00
January 31	February 3	Mrs. Welch, salary, - - - -	40 00
January 31	February 3	Frank, salary, - - - -	75 00
January 31	February 3	W. B. Clark, returning escaped patient,	10 00
January 31	August 1	T. C. Corcoran, services as superintendent,	1,200 00
1856.			
August —	August 1	H. M. Fanning, contract for removing and repairing frame building, - - -	700 00
		Amount contracted before first Feb., 1857,	\$9,225 35
1857.			
July 31	August 1	Owen Gillon, returning insane patient, -	10 00
August 31	Septem'r 14	A. Wolf, hay, - - - -	2 50
October 31	Nov'r 3	Maria Brady, wages as washerwoman, -	23 34
Nov. 30	Dec'r 7	Miss Penington, salary as matron, - -	62 50
Nov. 30	Dec'r 7	Conley & Co., printing, - - - -	11 00
Nov. 30	Dec'r 7	Sanders & Hickman, hardware, - - -	16 25

Date of account	When audited.	To whom due.	Amount.
Nov. 30	Dec'r 7	Argus, printing, - - - -	\$2 65
Nov. 30	Dec'r 7	James Anthony, printing, - - -	33 75
	1858.		
Dec. 31	January 6	E. O. Langley & Co., drugs, - - -	17 60
Dec. 31	January 6	J. B. Houche & Co., groceries, - - -	76 87
Dec. 31	January 6	Compton Landon, groceries, - - -	667 22
Dec. 31	January 6	James Lawson, grain, - - - -	131 50
Dec. 31	January 6	Fox & O'Connor, liquors, - - -	131 00
Dec. 31	January 6	Eldridge & Brother, vegetables, - - -	110 44
Dec. 31	January 6	L. H. Debnam, drugs, - - - -	28 83
Dec. 31	January 6	W. Busch & Co., lager beer, - - -	15 00
Dec. 31	January 6	N. Melco, fruit, - - - -	6 50
Dec. 31	January 6	E. S. Holden, drugs, - - - -	13 25
Dec. 31	January 6	W. V. Fisher, milk, - - - -	112 50
Dec. 31	January 6	John Gross & Co., bread, - - - -	527 00
Dec. 31	January 6	J. M. North, vegetables, - - - -	41 00
Dec. 31	January 6	R. W. Noble, butter, - - - -	24 27
Dec. 31	January 6	William Ward, meat, - - - -	534 80
Dec. 31	January 6	Charles Rowe, butter, - - - -	36 15
Dec. 31	January 6	Selig & Brother, tobacoo, - - - -	30 50
Dec. 31	January 6	Stockwell & Underhill, dry goods, - - -	193 28
Dec. 31	January 6	M. L. Bird & Co., blanket, surcingle, etc., - - -	22 75
Dec. 31	January 6	Gray & Hickman, dry goods, - - -	214 40
Dec. 31	January 6	Nash & Beamis, boots and shoes, - - -	157 75
Dec. 31	January 6	T. Paige, lumber, - - - -	199 48
Dec. 31	January 6	S. W. Hart, blacksmithing, - - -	32 75
Dec. 31	January 6	Sanders & Hickman, tin and hardware, - - -	19 12
Dec. 31	January 6	Mills & Doll, hardware, - - - -	299 60
Dec. 31	January 6	Charles P. Greenley & Co., hardware, - - -	67 25
Dec. 31	January 6	Lot Day, sand, - - - -	17 00
Dec. 31	January 6	Thomas Marshall, hay, wood, etc., - - -	169 87
Dec. 31	January 6	E. E. Kenney, crockery, - - - -	17 00
Dec. 31	January 6	Rosenbaum & Van Allen, stationery, - - -	4 00
Dec. 31	January 6	Post office, postage, - - - -	9 49
Dec. 31	January 6	Kierski & Brother, stationery, - - -	37 35
Dec. 31	January 6	Webster & Haite, crockery, - - -	47 01
Dec. 31	January 6	J. M. Conley & Co., printing, - - -	8 00
Dec. 31	January 6	W. C. Hughes, wood, - - - -	303 00
Dec. 31	January 6	E. H. Comstock, wood, - - - -	38 50
Dec. 31	January 6	Antonio Jurza, salary, - - - -	22 50
Dec. 31	January 6	P. E. Jordan, salary as steward, - - -	125 00
Dec. 31	January 6	W. Gravatt, salary as keeper, - - -	75 00
Dec. 31	January 6	William Teeter, salary as keeper, - - -	50 00
Dec. 31	January 6	J. W. Boucher, salary as keeper, - - -	75 00
Dec. 31	January 6	John Boyd, salary as keeper, - - -	75 00
Dec. 31	January 6	Jesse Atwell, salary as keeper, - - -	50 00
Dec. 31	January 6	Thomas, salary as cook, - - - -	55 00
Dec. 31	January 6	Augustus, salary as cook, - - - -	15 83
Dec. 31	January 6	W. A. Teresa, salary as keeper, - - -	75 00
Dec. 31	January 6	Julia Fennegan, female keeper, - - -	75 00
Dec. 31	January 6	E. M. Botts, clerk, - - - -	75 00
Dec. 31	January 6	Joseph Ware, messenger, - - - -	20 00

Date of account	When audited.	To whom due.	Amount.
Dec. 31	January 6	A. W. Lockett, watchman, - - -	60 00
Dec. 31	January 6	William Duke, gardener, - - -	80 00
Dec. 31	January 6	Annie Gales, washerwoman, - - -	50 00
Dec. 31	January 6	Allen G. Delaney, servant, - - -	30 00
Dec. 31	January 6	Patrick, cook, - - - - -	25 00
Dec. 31	January 6	Joseph, waiter, - - - - -	11 00
Dec. 31	January 6	Robinson & Wheeler, carpenter's work, -	272 50
Dec. 31	January 6	Stockwell & Underhill, dry goods, - -	314 64
Dec. 31	January 6	Luchsinger & Hubbard, furniture, -	607 50
Dec. 31	January 6	Besayno Brothers, hardware, - -	74 75
Dec. 31	January 6	Besayno Brothers, hardware, - -	13 87
Dec. 31	January 6	Murray & Folensby, making carpets, -	53 75
Dec. 31	January 6	Miller & Co., carpenter work, - -	45 00
Dec. 31	January 6	C. C. Ordemann, carpenter work, - -	54 50
Dec. 31	January 6	H. T. Compton, salary as Treasurer, -	250 00
Total, - - - - -			\$16,480 21



REPORT OF THE RESIDENT PHYSICIAN.





## REPORT OF THE RESIDENT PHYSICIAN.

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*To the Board of Trustees of the Insane Asylum of California.*

GENTLEMEN :—The period having arrived when, by law, it becomes my duty to inform you of the general condition of the institution over which you preside, the following report is respectfully submitted :

I entered upon the discharge of my official duties, as you are aware, upon the first day of August, 1857. My report will be confined to the period that has intervened. For the prior portion of the year, the record left me by my predecessor is too meagre to constitute the basis of a report.

I have furnished the statistics, in regard to the patients, in the usual tabular form. From these it will be seen that one hundred and sixty-two (162) patients were turned over to me by Dr. Langdon; that eighty-six (86) have been admitted since; that seventeen (17) have died; thirty-eight (38) have been discharged; five (5) have eloped; leaving one hundred and eighty-eight in the asylum on the first day of January, 1858.

These figures show an increase of admissions over discharges of twenty-six (26) for the last five months. I have taken this ratio of increase as the basis for my estimate for the current year. Besides these tables of statistics, you will find a statement of the expenditures for the last five months, and an estimate of expenses for the year 1858. I have divided the expenditures into "ordinary" and "extraordinary." From the first, we arrived at the conclusion that to board, lodge, and feed the patients, costs *per capita* three hundred and twenty-seven dollars and ninety-five cents (\$327 95). This sum I have taken as an estimate for future appropriations. I have been at some pains to ascertain how our expenditures compare with other institutions in the United States. I find that in New York, each patient costs one hundred and eighty-seven dollars and fourteen cents (\$187 14); in Rhode Island, one hundred and ninety-five dollars (\$195); in South Carolina, one hundred and eighty-six dollars and fifty cents (\$186 50); in New Jersey, one hundred and eighty seven dollars and ninety cents (\$187 90); and in Virginia, one hundred and forty-three dollars and twenty cents (\$143 20). This would make the average cost of a patient, in these five states, one hundred and seventy-nine dollars (\$179). It is not too much to say that the price of labor in California is double that of the eastern states. Thus it will be perceived that our actual expenses for the last five months, and consequently our estimate for the next twelve, fall below an average of the expenses of similar institutions in the Atlantic states. The extraordinary expenses of the last year and the estimate for the cur-

rent year, present somewhat of a formidable appearance. But the truth is, institutions of this character are necessarily expensive—costly in their origin, and a continual source of expenditure in repairs and additions. The insane asylum of California has never been supplied with the fixtures, conveniences, and accommodations necessary to the well-being of its patients.

To give you some idea of the conveniences supposed to be necessary for such an establishment, I make some extracts from a report upon the construction of hospitals, made by the standing committee of the association of medical superintendents of American institutions for the insane, at its meeting in Philadelphia, May 21st, 1851, which report was unanimously adopted :

“Means should be provided to raise ten thousand gallons of water daily to reservoirs that will supply the highest parts of the buildings.

“Every hospital having provision for two hundred or more patients, should have in it at least eight distinct wards for each sex, making sixteen classes in the entire establishment.

“Each ward should have in it a parlor, a corridor, single lodging rooms for patients, an associate dormitory communicating with a chamber for two attendants, a clothes-room, a dumb-waiter, and a speaking-tube leading to the kitchen, or other central part of the building.

“The lighting should be done by gas, on account of its convenience, cleanliness, safety, and economy.

“All hospitals should be warmed by passing an abundance of pure fresh air from the external atmosphere over pipes or plates containing steam, steam under low pressure, or hot water, the temperature of which does not exceed two hundred and twelve degrees Fahrenheit at the boiler, and placed in the cellar or basement of the building to be heated.”

A complete system of forced ventilation, in connection with the heating, is indispensable to give purity to the air of a hospital for the insane, and no expense that is required to effect this object thoroughly can be deemed either misplaced or injudicious. Very different from this is the actual condition of the insane asylum of California. I found it actually wanting in many of the essentials of a well conducted prison. For instance, there were no conveniences in the culinary department; the cooking was done in a wooden shed outside of the asylum far removed from the dining-room, yet near enough to endanger the building. This combustible eye-sore has been removed, and in lieu of it we have established a safe and convenient kitchen, with equipments by no means perfect, however, adjoining the general dining-room of the establishment. Rooms had to be fitted up as store rooms, dining-rooms for the keepers, etc. Strange as it may seem, no attempt had been made to render the grounds of the asylum productive. The sod remained unturned, and not a single fruit-tree had been planted. We have had the grounds in front of the building leveled, and have set out fifteen hundred trees and shrubs. We have also had eighty-eight acres of the land belonging to the asylum sowed in oats and barley. This has been effected chiefly by the labor of the patients, to whom it has afforded pleasing and healthy exercise. In a few years we shall have a bountiful supply of fruit, which is always grateful, and oftentimes beneficial to the convalescent.

We have done all to remedy the imperfections of the establishment that the means at our command would permit, but much yet remains to put it upon a respectable footing. We are in need of a separate hospital department, to which the sick might be removed, where, free from the general noise of the institution, they might be specially nursed as befitted their condition, and where they might be visited by the physicians during the day or night if necessary, without disturbing the other patients. Mad-houses, separate and apart from the main build-

ing, to which the more violent and noisy patients may be removed, are absolutely necessary. Nothing is more desirable to a convalescent patient than quiet and repose. A whole ward is frequently thrown into a state of the most injurious excitement by the ravings of a single maniac, and the work of weeks is lost in an hour. Indeed, if the construction of the building permitted, the patients should be divided into five or six classes, according to the degree of excitement under which they labor, thereby separating the quiet and orderly from the boisterous and noisy.

The last Legislature made an appropriation for a mad-house, but the law was so worded that we found ourselves limited to the use of the old wooden dwelling.

This proving totally unfit for the purpose, the plan was abandoned, and the money otherwise appropriated. Cold and hot baths in each ward are everywhere recognized as necessary appurtenances to well ordered hospitals, and they are indispensable to the treatment of those unfortunates who are oblivious of the distinction between filth and cleanliness; the substitute for a warm bath to which we have been obliged to resort, although a great improvement, is far from being either an ornament or an honor to the institution.

The asylum should be made perfectly secure. Escapes are attended with trouble and expense and great danger to the public, inasmuch as it is generally the most violent who are most impatient of restraint. In the present condition of the asylum, a vigilant night-watch, always expensive, and never wholly effective, is required.

I will take the liberty of suggesting two improvements that would add much to the security of the institution. In the first place the wooden bars to the windows should be replaced with iron, and secondly the insecure and unsightly board fence with which the yard is enclosed, should be removed to make room for a substantial brick wall. The female patients are increasing rapidly, and there is no room in the building suitable for a dining-room. One must be erected for the purpose.

Competent mechanics, who have examined it, declare the southern wing to be in such a condition that nothing but immediate repairs will save it from total ruin. I beg leave to call your attention to this subject.

A chapel is much needed. Those who have charge of insane persons are unanimous in extolling the soothing influence of divine service upon the minds of their patients. There are many of the inmates of the asylum who petition for the privilege of Sunday worship, which is reluctantly denied them from the want of an appropriate place for devotional exercises. It is a great mistake to suppose that derangement necessarily involves destruction of religious feeling. On the contrary, it is perhaps the last ray to be extinguished, and it is often the charm by which wandering reason is lured back to her native home. Ministers of the gospel have kindly said to me, "give us a place of worship, and trust to a Christian church to furnish you ministers." It is to be hoped that we shall no longer want this suitable and appropriate ornament of a public institution.

I have been induced to propose the establishment of a farm, a dairy, and a garden, by the consideration that our vegetable and milk bills amount, annually, to about the sum of six thousand dollars—all of which should be drawn from the extensive and valuable fields attached to the institution. Milk is not only a favorite food, but it enters into every system of diet. We could use, to great advantage, twenty-five gallons of milk per day; whilst, on account of the great expense, we stint ourselves to six or eight. There is no sensible individual, who had two hundred persons to feed, that, having a hundred acres of arable land, would ever think of buying milk at fifty cents per gallon. In like manner, there is no reason why, by cultivation of our grounds, we should not draw from them a much more abundant supply of vegetables, at much less expense than can be obtained by purchase in the markets.

It will be seen that, in my estimate for the current year, I propose to increase



both the number and pay of the keepers. First, as to the number: it is admitted that twenty patients is the very largest number that can be committed to the charge of a single attendant. The law of France, more wisely still, limits the number to ten; and when we reflect that it is the business of a keeper to see to the feeding, cleaning, clothing, and watching his patients, we may easily understand that twenty individuals, each afflicted with a different form of insanity, may well engage all his attention. The head keepers—those who have charge of wards—must be intelligent, skillful and trusty, in the highest degree. Their duties are arduous, responsible, laborious, and oftentimes attended with considerable danger. We must obtain the services of men possessed of the necessary qualifications, and, to insure them, we must pay the rate which such qualifications command in California. My keepers are subjected to the most rigid discipline; much is required of them, and they render it faithfully. I only propose to make their salaries adequate to their services.

Economy in the administration of public funds is proper, everywhere, and it is imperiously demanded by the overburdened tax-payers of California; but every civilized people recognize the necessity of providing for the helpless and afflicted. Economy here is only so far desirable as it is consistent with the comfort and care of those who "sit in darkness and in the shadow of death." It is in this spirit that I have not hesitated to recommend to you, and through you to the Legislature, all those improvements and additions that appear to me necessary to the well-being of my patients. The act providing for the establishment and government of the asylum is, in many of its provisions, crude, vague, and uncertain. The eighth section provides that all purchases shall be made by the superintendents; and for each, without definitely placing at his command the cash with which to make the purchases, it seems to contemplate an expenditure on his part for which he shall account to somebody—it does not appear exactly to whom—by vouchers, verified by oath. No matter by whom the expenditures are conducted, I cannot too strongly recommend to your consideration the contract system. The supplies of clothing, groceries, and other provisions, amount annually to the sum of forty-five thousand dollars, and are necessarily upon the increase. There is no reason why, like other government contracts, they should not be offered to the lowest bidder. By this means all charges of favoritism would be avoided, and the institution would obtain the advantage of competition, at wholesale prices. This would result in a saving of at least twenty per cent. upon the present mode of purchasing from hand to mouth. This would involve the necessity of erecting a store-house, for which an estimate will be found in my table of expenditures for the current year.

It is all important that the physician who is called to a case of insanity should be informed of the history of the case, its origin, progress, and continuance. Much might be done in this way, if the fourteenth section of the act were so amended as to require the examining physicians to collect and transmit such statistics as they alone have an opportunity of obtaining. As it is, the sheriff in charge of the patients can afford little or no information, and we are left in the dark upon some of the most important questions in the treatment of the case.

To the visiting physician I am greatly indebted for the valuable assistance he has afforded me. His attention to the interests of the institution has been constant and unremitting.

I cannot conclude this report without returning thanks, upon the part of my poor patients, to those who, by their donations, have sought to make their exile from society a little more tolerable. To Mr. Weber, of Stockton, the munificent patron of this institution, we are indebted for a present of shrubbery, which could not have been purchased for less than several hundred dollars. It has all been planted out with great care, and will eventually constitute the highest orna-

ment to the grounds, whilst it will afford an unalloyed source of pleasure to the inmates of the asylum.

To the editorial corps we are also indebted for remembering that we have a reading-room, which is the most popular resort of the patients. The following papers are regularly received, and their arrival is impatiently anticipated :

San Joaquin Republican,  
Stockton Argus,  
Mariposa Gazette,  
Democratic State Journal,  
Sacramento Union,  
Pacific Methodist,

Stockton Weekly Democrat,  
San Francisco Herald,  
California Farmer,  
Siskiyou Chronicle,  
Union Democrat,  
Christian Advocate.

All of which is respectfully submitted.

W. D. AYLETT, Resident Physician.





# APPENDIX.



# TABLE FIRST.

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AN EXHIBIT OF PATIENTS IN THE INSANE ASYLUM,

SHOWING

THE NATURE AND CAUSE OF ABERRATION ; WITH  
THE NATIVITY, LAST RESIDENCE, DU-  
RATION, CONDITION, AND  
PROSPECT.

TABLE FIRST.

*An Exhibit of Patients received from former Resident Physician August 1, 1857; also Patients received into, continuing in, and discharged from the Asylum, during the five months from August 1, 1857, to December 31, 1857, inclusive.*

Number. ....	Date of admission.	Age .....	Sex .....	Civil condition .....	Nativity.....	County from which committed .....	Duration before admission.....	Apparent form....	Supposed cause ....	State of health .....	Prospect.....	Result .....
1	unknown	40	male	unknown	England	unknown	unknown	confirmed dementia	unknown	good	unfavorable	remains
2	do	35	do	do	Germany	do	do	dementia	do	bad	do	do
3	do	do	do	do	China	do	do	simple dementia	unknown	good	do	do
4	do	do	do	do	do	do	do	do	do	do	do	do
5	do	26	do	do	do	do	do	do	do	do	do	do
6	do	do	do	do	Ireland	do	do	hypochondria	religion	good	incurable	do
7	Dec 17, '56	do	do	do	unknown	San Joaquin	do	partially demented	masturbation	do	do	do
8	Nov 26, '56	30	do	single	do	El Dorado	do	dementia	unknown	do	do	do
9	Jan 30, '57	50	do	unknown	do	San Francisco	do	melancholia	do	good	unfavorable	do
10	unknown	do	do	do	Germany	unknown	do	do	disappointed	do	do	do
11	do	40	do	do	France	do	do	periodical attacks	unknown	do	do	do
12	do	40	do	do	Ireland	do	do	partial dementia	religion	do	do	do
13	July 21, '57	25	do	single	unknown	Sonoma	do	dementia	unknown	do	do	do
14	unknown	49	do	unknown	America	unknown	do	do	do	do	do	do
15	do	do	do	do	do	do	do	simple dementia	religion	do	do	do
16	do	do	do	do	unknown	do	do	dementia	fear	do	do	do
17	Dec 30, '56	38	do	single	Ohio	Placer	do	simple dementia	fright	do	do	do
18	unknown	do	female	unknown	unknown	unknown	do	idiotic	religion	do	do	do
19	April 14, '57	19	do	single	New York	Sacramento	do	simple	hereditary insanity	bad	do	do
20	unknown	do	do	unknown	unknown	unknown	do	dementia	disappointed ambition	do	do	do
21	Sept 28, '57	do	do	married	do	San Francisco	do	dementia period'l attacks	fright	good	do	do
22	unknown	do	do	unknown	France	unknown	do	dementia	unknown	do	do	do
23	Mar 19, '57	28	do	single	Kentucky	Monterey	do	partial dementia	love and religion	do	do	do
24	unknown	40	do	unknown	Ireland	unknown	do	dementia	unknown	do	do	do
25	do	do	do	do	Chihuahua	do	do	simple dementia	do	do	do	do
26	do	do	do	do	France	do	do	masturbation	do	do	do	do
27	April 19, '57	20	do	single	Ireland	San Francisco	do	dementia	blow on the head	bad	do	do

28	July 5, '57	28	male	single	unknown	Sierra	2 mon's	dementia		masturbation	good	favorable	discharged
29	July 17, '57	40	do	married	Ireland	Sacramento	unkno'n	do	loss of wife	loss of wife	do	unfavorable	remains
30	unknown	40	female	married	New York	San Francis'o	do	partial dementia		intemperance	do	do	do
31	do	40	do	unknown	China	unknown	do	dementia		grief	do	do	do
32	July 20, '57	30	male	do	Italy	Amador	2 weeks	do	fall in a shaft	death of parents	do	favorable	do
33	unknown	do	do	do	France	do	unkno'n	do	disappointment	disappointment	do	unfavorable	do
34	May 1, '57	20	do	do	China	do	do	do	do	do	do	do	do
35	Feb 2, '57	40	do	do	England	do	do	do	do	do	do	do	do
36	Feb 21, '57	33	do	single	Michigan	Contra Costa	do	do	dissipation and gambling	dissipation and gambling	do	do	died of dysentery
37	unknown	25	do	unknown	unknown	unknown	do	do	unknown	unknown	do	do	remains
38	May 31, '57	do	do	do	Mexico	San Francis'o	do	do	do	do	do	do	do
39	unknown	60	do	do	Massachusetts	do	do	do	loss of property	loss of property	do	do	do
40	Oct 31, '56	35	do	do	France	Siskiyou	3 mon's	do	disappointment	disappointment	do	do	do
41	unknown	49	female	married	N. Carolina	Shasta	unkno'n	do	religion	religion	do	do	do
42	April 16, '57	do	do	unknown	unknown	do	do	do	fever	fever	do	do	do
43	unknown	18	do	do	Germany	do	do	do	congenital	congenital	do	do	do
44	do	do	do	do	France	do	do	do	unknown	unknown	do	do	do
45	do	do	do	do	America	do	do	do	idiotie	idiotie	do	do	do
46	Jan 30, '57	50	do	do	France	do	do	do	simple	simple	do	do	do
47	unknown	do	do	do	France	San Francis'o	do	do	confirmed dementia	confirmed dementia	do	do	do
48	do	34	do	do	unknown	do	do	do	dementia	dementia	do	do	do
49	do	do	female	do	Mexico	do	do	do	do	do	do	do	do
50	July 2, '57	30	female	single	Pennsylvania	Trinity	3 weeks	do	melancholia	child bearing	do	do	died of marasmus
51	unknown	do	do	unknown	France	unknown	unkno'n	do	dementia	debility	do	favorable	discharged
52	April 2, '57	28	do	married	Ireland	San Francis'o	do	do	periodical insanity	unknown	do	unfavorable	remains
53	Feb 11, '57	35	do	unknown	Germany	Sacramento	do	do	simple dementia	epilepsy	do	do	died of dysentery
54	Jan 17, '57	do	do	do	unknown	Siskiyou	do	do	dementia	unknown	do	do	remains
55	unknown	do	do	do	do	do	do	do	do	do	do	do	do
56	Oct 10, '56	30	female	married	do	San Francis'o	do	do	do	loss of money	do	improving	do
57	June 27, '57	30	do	do	do	do	do	do	do	unknown	do	unfavorable	died of marasmus
58	May 12, '57	27	male	do	N. Carolina	Santa Clara	do	do	do	do	do	do	removed by friends
59	Jan 6, '57	60	do	do	Canada	do	do	do	suicidal tendency	do	do	do	remains
60	Jan 16, '57	28	do	single	England	Butte	do	do	melancholia	disappointment	do	do	do
61	Jan 6, '57	45	do	do	unknown	San Joaquin	do	do	dementia	intemperance	do	do	do
62	May 4, '57	35	do	do	Switzerland	Yuba	do	do	chronic mania	unknown	do	do	do
63	July 27, '57	do	do	married	Massachusetts	Pacer	do	do	acute mania	loss of property	do	do	died of acute mania
64	July 1, '56	20	do	do	Ireland	unknown	do	do	simple	unknown	do	do	remains
65	July 23, '57	31	do	single	Ohio	Calaveras	1 month	do	dementia	trouble	do	favorable	discharged
66	unknown	24	do	do	America	unknown	unkno'n	do	periodical attacks	unknown	do	unfavorable	remains
67	do	do	do	do	France	do	do	do	dementia	do	do	do	do
68	Oct 5, '56	45	female	married	unknown	El Dorado	3 mon's	do	partial dementia	excessive use of opium	do	favorable	taken away by father
69	May 12, '57	24	do	do	Indiana	Santa Clara	do	do	dementia	unknown	do	unfavorable	discharged
70	unknown	do	do	single	Germany	Yuba	do	do	do	do	do	do	do

TABLE FIRST.—CONTINUED.

*An Exhibit of Patients received from former Resident Physician August 1, 1857; also Patients received into, continuing in, and discharged from the Asylum, during the five months from August 1, 1857, to December 31, 1857, inclusive.*

Number .....	Date of admission.	Age .....	Sex .....	Civil condition.....	Nativity .....	County from which committed.....	Duration before admission.....	Apparent form ....	Supposed cause...	State of health ....	Prospect.....	Result.....
71	unknown		male	unknown	unknown	unknown	3 mon's	dementia	unknown	good	unfavorable	remains,
72	unknown		male	do	American	do	do	simple dementia	do	do	do	remains
73	unknown		male	do	American	do	do	acute mania	do	do	do	do
74	April 22, '57	26	male	married	Ireland	Calaveras	do	acute mania	disappointment	do	do	do
75	June, '56		male	unknown	unknown	unknown	do	melancholia	unknown	do	do	do
76	unknown		female	married	Virginia	do	4 years	dementia	.....	do	do	do
77	unknown	30	do	do	Germany	do	unknown	acute mania	hereditary insanity	bad	do	do
78	April 21, '57	32	male	single	N. Hampshire	Placer	do	dementia	loss of property	good	favorable	discharged
79	unknown	36	male	unknown	Ireland	unknown	do	dementia	dissipation	do	unfavorable	remains
80	unknown	65	male	do	Ireland	do	do	simple dementia	disappointment	do	unfavorable	.....
81	unknown		female	married	Ireland	do	do	idiotic	child bearing	do	unfavorable	remains
82	unknown		male	unknown	England	do	do	confirmed dementia	unknown	do	unfavorable	do
83	Nov 7, '56	24	male	do	Pennsylvania	Tuolumno	do	melancholia	disappointment	do	improving	do
84	Mar 15, '57	13	male	single	Missouri	unknown	do	simple	epileptic fits	do	unfavorable	do
85	May 24, '56	40	male	unknown	Alabama	Placer	1 week	dementia	blow on the head	bad	do	died of marasmus
86	July 24, '57	25	male	do	unknown	Stanislaus	unknown	simple dementia	unknown	good	do	remains
87	June 20, '57	30	male	single	Maryland	San Francisco	do	simple dementia	dissipation	do	do	do
88	unknown		female	unknown	Mexico	unknown	do	idiotic	intemperance	do	do	do
89	July 15, '57		male	do	unknown	Amador	do	dementia	injuries of the head	do	do	do
90	July 24, '57		female	married	England	Sacramento	5 mon's	suicidal tendency	unknown	do	do	discharged
91	unknown		male	unknown	France	unknown	unknown	melancholia	religion	do	unfavorable	remains
92	unknown	30	male	do	England	do	do	melancholia	masturbation	do	do	remains, don't speak
93	Feb 5, '57	30	male	single	America	do	do	dementia	unknown	do	do	remains
94	unknown		male	unknown	Germany	do	do	dementia	unknown	do	do	do
95	Mar 12, '57	30	male	do	France	Mariposa	do	periodical insanity	do	do	favorable	do
96	June 11, '57	36	male	single	France	Plumas	2 mon's	at times violent	intemperance	do	do	do
97	May 26, '57		male	unknown	unknown	Calaveras	unknown	dementia	unknown	do	do	do



98	April 6, '57	male	unknown	unknown	Stanislaus	unkno'n	chronic mania	dissipation	good	unfavorable	remains	good
99	unknown	female	do	Mexico	unknown	do	simple dementia	family trouble	do	incurable	do	do
100	Dec 2, '57 40	do	do	unknown	Humboldt	do	religious mania	child bearing	bad	do	do	do
101	June 25, '57 27	do	married	England	Sacramento	do	fear of death	child bearing	good	favorable	do	do
102	July 17, '57 25	do	do	Ireland	San Francisco	1 month	dementia	jealousy	do	do	discharged	do
103	June 18, '54	do	single	unknown	unknown	unkno'n	simple	abuse	do	unfavorable	remains	do
104	July 25, '57	do	unknown	Chile	Monterey	6 mon's	acute mania	disappointment	in love	do	do	do
105	unknown	40	do	Ireland	unknown	unkno'n	melancholia	unknown	good	do	do	do
106	unknown	male	do	Scotland	do	do	chronic mania	do	do	do	do	do
107	unknown	male	do	Portugal	do	do	dementia	do	do	do	do	do
108	April 14, '57 25	male	single	N. Carolina	Shasta	do	dementia	do	do	do	do	do
109	unknown	male	unknown	Ireland	unknown	do	simple dementia	dissipation	do	do	do	do
110	May 25, '57 30	male	do	New York	Sacramento	do	dementia	unknown	do	favorable	discharged	do
111	unknown	25	do	Germany	unknown	do	dementia	do	do	improving	remains	do
112	Jan 31, '57	male	do	unknown	San Diego	do	simple dementia	loss of property	do	unfavorable	do	do
113	Jan 1, '57 21	male	single	Germany	San Francisco	10 days	acute mania	religious excitement	do	favorable	discharged	do
114	April 25, '57	male	unknown	Italy	San Joaquin	unkno'n	simple	unknown	do	unfavorable	remains	do
115	May 1, '57	male	do	unknown	unknown	do	idiotic	religion and intemper'nce	do	do	do	do
116	July 22, '57	male	do	unknown	Sonoma	do	dementia	religious excitement	do	favorable	discharged	do
117	unknown	male	do	Germany	unknown	do	dementia	unknown	do	unfavorable	remains	do
118	Mar 14, '57	male	do	Ireland	do	do	partial dementia	chronic rheumatism	do	favorable	do	do
119	June 8, '57 33	male	single	Pennsylvania	Shasta	do	monomaniac	comet	do	eloped	do	do
120	unknown	male	unknown	Germany	unknown	do	periodical insanity	unknown	do	do	remains	do
121	Oct. 29, '56 14	male	single	unknown	Fresno	do	blind and idiotic	do	do	unfavorable	remains, blind & fool-	fish
122	April 15, '57	male	unknown	California	unknown	do	acute mania	do	do	do	remains	do
123	June 5, '57	male	do	Mexico	Tuolumne	do	dementia	excessive use of quinine	do	do	died of apoplexy	do
124	July 5, '57 30	male	do	England	Sierra	do	partial dementia	masturbation	do	do	do	do
125	unknown	male	do	America	unknown	do	dementia	epilepsy	bad	do	remains	do
126	unknown	female	married	France	do	do	simple	unknown	good	do	do	do
127	unknown	male	unknown	Germany	do	do	dementia	masturbation	bad	do	died of apoplexy	do
128	unknown	male	do	Germany	San Francisco	do	dementia	unknown	good	do	remains	do
129	unknown	male	do	America	do	do	chronic mania	unknown	bad	do	do	do
130	unknown	male	do	Germany	do	do	dementia	unknown	good	do	do	do
131	unknown	male	do	Germany	do	do	dementia	do	do	do	do	do
132	unknown	24	do	Ireland	do	do	dementia	do	do	do	discharged, cured	do
133	unknown	22	do	Germany	do	do	simple dementia	do	do	unfavorable	remains	do
134	July 12, '57 58	male	married	Germany	Shasta	do	dementia	epilepsy	do	do	do	do
135	July 13, '57 30	male	single	Virginia	Yuba	do	dementia	dissipation & loss property	do	favorable	discharged	do
136	July 3, '57 35	male	unknown	Denmark	Marin	4 mon's	acute mania	do	bad	unfavorable	died of acute mania	do
137	May 15, '57 24	male	single	Massachusetts	Trinity	unkno'n	dementia	masturbation	good	do	remains	do
138	Aug 1, '57 30	male	unknown	France	Prudhomme	do	dementia	religion	do	do	removed by parents	do
139	unknown	male	do	Germany	unknown	do	simple dementia	unknown	do	favorable	discharged	do
140	unknown	male	do	American	do	do	chronic insanity	do	do	unfavorable	remains	do

TABLE FIRST.—CONTINUED.

*An Exhibit of Patients received from former Resident Physician August 1, 1857; also Patients received into, continuing in, and discharged from the Asylum, during the five months from August 1, 1857, to December 31, 1857, inclusive.*

Number.	Date of admission.	Age	Sex	Civil condition	Nativity	County from which committed	Duration before admission	Apparent form	Supposed cause	State of health	Prospect	Result
141	April 29, '57	35	male	single	Ireland	Sierra	unkno'n	dementia	dissipation	good	favorable	discharged, cured
142	unknown		do	unknown	Germany	unknown	do	do	unknown	bad	unfavorable	died of consumption
143	May 20, '57	33	do	do	Alabama	Tuolumne	do	do	religion	good	favorable	discharged, improv'd
144	July 16, '57	34	female	married	France	Yuba	4 years	do	intemperance	bad	do	do
145	April 30, '53	33	do	do	New Jersey	San Francisco	unkno'n	do	loss of money	good	unfavorable	remains
146	Jan 23, '57	38	do	do	Ireland	do	do	do	paralysis and intemper'e	do	do	do
147	April 20, '57		male	unknown	America	unknown	do	do	unknown	do	do	do
148	Oct 15, '56	30	do	do	England	do	do	confirmed dementia	disease of kidney	do	do	do
149	Oct 6, '56	47	do	married	Pennsylvania	do	do	simple dementia	loss of property	do	do	do
150	May 13, '57		do	unknown	France	San Francisco	do	melancholia	unknown	do	do	do
151	May 16, '57		do	single	Ireland	do	do	acute mania	dissipation	do	favorable	discharged
152	July 7, '57		do	do	Germany	do	do	dementia	do	do	unfavorable	remains
153	unknown		do	unknown	France	unknown	do	acute mania	unknown	do	do	do
154	Feb 11, '57	45	do	do	Portugal	Sacramento	do	monomaniac	syphilis	do	do	died of acute mania
155	unknown		do	do	Massachusetts	unknown	do	periodically insane	religion	do	do	remains
156	do	40	do	do	America	do	do	dementia	unknown	do	do	do
157	do	35	do	do	Germany	do	do	do	unknown	do	do	do
158	do		do	single	America	do	do	do	masturbation	do	favorable	do
159	do		do	unknown	Ireland	do	do	do	family trouble	do	unfavorable	do
160	do		female	married	do	do	do	do	unknown	do	do	do
161	do	30	male	unknown	America	do	do	periodical attacks	unknown	do	do	remains, won't speak
162	do	30	do	do	Chile	do	do	acute mania	do	do	do	do
163	Aug 4, '57	26	do	do	America	Contra Costa	do	dementia	masturbation	bad	do	do
164	Aug 7, '57	37	do	married	Virginia	Sacramento	1 week	chronic mania	dissipation	do	do	eloped
165	Aug 14, '57	46	do	unknown	Ireland	Santa Barbara	3 weeks	acute mania	do	good	favorable	remains
166	do	42	do	do	Maine	Napa	3 days	do	contusion on the head	do	unfavorable	do
167	do		do	do	Ireland	San Francisco	unkno'n	dementia	dissipation	do	do	eloped

168	Aug 15, '57	49	male	married	New York	Placer	unkno'n	dementia	congestive fever	bad	unfavorable	died, ch'ric diarrhea
169	Aug 19, '57	30	do	unknown	Sweden	El Dorado	do	do	pecuniary losses	good	favorable	discharged, cured
170	Aug 17, '57	20	do	single	Germany	Mariposa	6 mon's	suicidal tendency	masturbation	do	do	do
171	do		do	unknown	America	Sacramento	unkno'n	dementia	fever	bad	unfavorable	died of consumption
172	Aug 19, '57		do	do	France	Placer	few d'ys	acute mania	dissipation	do	do	died of marasmus
173	Aug 21, '57	22	do	do	France	Batte	unkno'n	dementia	unknown	good	favorable	discharged, cured
174	Aug 24, '57	26	do	single	Massachusetts	Tuolumne	do	do	masturbation	do	do	do
175	Aug 25, '57	25	female	married	Germany	San Joaquin	do	simple	puerperal fever	do	unfavorable	remains
176	Aug 26, '57	19	male	single	New York	San Francis'o	do	dementia	masturbation	do	favorable	discharged, cured
177	do		do	unknown	Ireland	do	do	do	unknown	do	do	remains
178	Aug 28, '57	40	do	married	Italy	Santa Cruz	do	chronic insanity	jealousy	do	unfavorable	do
179	Sept 7, '57	30	do	single	unknown	Yuba	do	acute mania	inflammation of brain	do	do	do
180	Sept 9, '57	29	do	unknown	do	Calaveras	do	acute mania	unknown	do	favorable	discharged, cured
181	Sept 14, '57	27	do	do	Chile	Sacramento	few d'ys	chronic insanity	unknown	do	unfavorable	remains
182	Sept 19, '57	30	do	single	Pennsylvania	do	unkno'n	suicidal tendency	hysterical despondency	do	do	do
183	Sept 23	44	female	single	unknown	San Francis'o	do	melancholia	loss of money	bad	favorable	do
184	do		male	single	do	do	do	do	masturbation	good	unfavorable	do
185	Sept 25		do	single	Chile	Amador	3 mon's	chronic mania	unknown	bad	do	do
186	Sept 26	35	do	unknown	France	Yuba	unkno'n	dementia	fever	do	favorable	do
187	Sept 28	40	do	married	Massachu'tts	San Francis'o	do	melancholia	intemperance	do	improving	discharged, cured
188	October 1	45	do	unknown	Germany	San Joaquin	do	do	unknown	do	unfavorable	died of diarrhea
189	" 3	30	do	single	unknown	Calaveras	do	periodical	do	good	favorable	remains
190	" 6	32	do	single	Missouri	do	do	dementia	masturbation	do	do	do
191	" 6	33	do	unknown	France	San Mateo	do	periodical attacks	hereditary	do	do	discharged, improv'd
192	" 11	45	female	married	New Jersey	Siskiyou	18 days	acute mania	unknown	do	do	remains
193	" 13	32	male	do	Maryland	San Francis'o	22 mo's	suicidal tendency	religious excitement	do	unfavorable	do
194	" 14	55	female	do	Kentucky	El Dorado	unkno'n	acute mania	dissipation	do	do	do
195	" 15	48	male	unknown	do	San Francis'o	do	dementia	unknown	do	do	do
196	" 20	35	do	do	England	Sacramento	do	feigned insanity	do	do	do	do
197	" 20	28	do	do	Mexico	Yuba	do	simple dementia	dissipation	do	do	do
198	" 20	35	do	married	France	State Prison	do	idiotic	spiritualism	do	favorable	discharged, cured
199	" 21	35	do	unknown	Massachu'tts	do	do	simple	unknown	do	unfavorable	remains
200	" 22	28	do	do	France	do	do	do	do	do	do	do
201	" 22	32	do	do	do	do	do	partial dementia	do	do	do	do
202	" 26		do	do	unknown	Tuolumne	do	dementia	epilepsy	bad	do	do
203	" 27	40	do	married	Alabama	Nevada	3 weeks	do	disappointment in love	good	do	do
204	" 27	28	do	single	Missouri	do	2 weeks	melancholia	disappointments	do	do	do
205	" 28	35	do	unknown	Ireland	Alameda	3 weeks	do	religion	do	do	discharged, cured
206	" 28	30	do	do	Missouri	Stanislaus	unkno'n	partial insanity	spiritualism	do	favorable	remains
207	" 30	37	do	do	America	Napa	do	do	unknown	do	do	do
208	" 31	50	do	do	do	Monterey	3 mon's	dementia	jealousy	do	do	discharged, cured
209	Nov 4	38	do	married	Ireland	Yuba	30 mo's	partial dementia	spermatorrhoea	do	do	remains
210	" 5	24	do	single	America	San Joaquin	do	do	do	do	do	do



TABLE FIRST.—CONTINUED.

*An Exhibit of Patients received from former Resident Physician August 1, 1857; also Patients received into, continuing in, and discharged from the Asylum, during the five months from August 1, 1857, to December 31, 1857, inclusive.*

Number .....	Date of admission.	Age .....	Sex .....	Civil condition....	Nativity .....	County from which committed.....	Duration before admission.....	Apparent form ....	Supposed cause...	State of health ....	Prospect.....	Result.....
211	Nov 5	26	male	unknown	unknown	Mariposa	unkno'n	dementia	excessive use of camphor	good	favorable	discharged, cured
212	" 5	28	do	do	do	Placer	do	melancholia	masturbation	do	do	remains
213	" 6	29	do	do	do	San Fra'cisco	do	do	loss of property	do	do	do
214	" 6	30	do	single	Missouri	Stanislaus	do	simple dementia	masturbation	do	unfavorable	do
215	" 39	30	do	do	unknown	Siskiyou	2 mon's	dementia	working in a drift	do	favorable	discharged, cured
216	" 7	39	do	married	New York	Solano	unkno'n	do	infidelity of wife	do	do	remains
217	" 12	40	do	unknown	unknown	San Joaquin	do	acute mania	unknown	bad	unfavorable	do
218	" 13	26	do	single	Missouri	do	do	dementia	hereditary	good	do	do
219	" 14	40	female	unknown	Mexico	Nevada	do	acute mania	dissipation	do	do	do
220	" 15	30	do	married	France	Tuolumne	2 mon's	partial dementia	hereditary	do	favorable	do
221	" 28	28	male	single	California	Santa Clara	unkno'n	dementia	masturbation	do	unfavorable	do
222	" 21	50	do	unknown	Missouri	Siskiyou	5 weeks	do	unknown	do	favorable	do
223	" 24	24	do	do	unknown	Sacramento	unkno'n	do	paralysis and fever	bad	unfavorable	died of paralysis
224	" 25	30	female	married	Ireland	do	do	do	child bearing	good	favorable	remains
225	" 27	26	do	do	do	San Joaquin	do	do	religion	do	do	discharged, cured
226	" 27	45	do	do	do	Yuba	ten d'ys	do	fever	do	do	remains
227	" 28	30	do	unknown	China	Amador	unkno'n	do	unknown	do	unfavorable	do
228	" 28	30	do	do	France	Sacramento	do	partial dementia	early immorality	do	favorable	do
229	" 29	40	male	married	do	El Dorado	ten d'ys	dementia	family trouble	do	do	do
230	Decem 1	38	do	unknown	unknown	San Fra'cisco	unkno'n	do	epilepsy	bad	unfavorable	died of epilepsy
231	" 1	27	do	do	Germany	do	3 mon's	acute mania	drinking and smoking	good	doubtful	remains
232	" 2	37	do	do	Portugal	Sacramento	few d'ys	dementia	unknown	do	unfavorable	do
233	" 8	28	do	do	Missouri	Amador	unkno'n	acute mania	religious excitement	do	favorable	do
234	" 12	43	female	married	Ireland	San Fra'cisco	3 mon's	partial dementia	loss of child	do	do	do
235	" 13	29	male	unknown	unknown	Tuolumne	unkno'n	dementia	unknown	do	do	do
236	" 14	29	do	single	Pennsylvania	Siskiyou	3 weeks	periodical insanity	masturbation	do	unfavorable	do
237	" 16	20	do	married	Portugal	Santa Cruz	1 week	acute mania	unknown	do	do	do

	238	Decem	18	20	female	single	Germany	Sacramento	4 days	acuto mania	hereditary	bad	unfavorable	remains
239	"	19		26	do	married	unknown	Placer	4 mon's	do	child bearing	good	favorable	do
240	"	20		60	male	do	New York	Sonoma	1 week	simple dementia	unknown	do	unfavorable	do
241	"	25		40	female	do	Ireland	San Fra'cisco	unkno'n	dementia	intemperanco	do	favorable	do
242	"	28		23	male	single	Germany	San Joaquin	3 weeks	do	unknown	do	do	do
243	"	29		28	female	married	America	do	2 years	do	puerperal fever	do	do	do
244	"	30		28	male	unknown	Ireland	San Fra'cisco	unkno'n	do	dissipation	do	do	do
245	"	30		45	do	do	China	do	do	do	unknown	bad	unfavorable	do
246	"	30		60	do	married	Massachu'tts	Sacramento	do	simple	do	good	do	do
247	"	31		33	female	do	Ireland	San Fra'cisco	do	melancholia	do	bad	favorable	do
248	"	31		35	male	unknown	Wisconsin	Trinity	do	do	do	good	unfavorable	do







TABLE FIFTH,

*Shows the supposed cause of insanity in those who have been admitted into the Asylum from August 1st, 1857, to December 31st, 1857.*

Dissipation, . . . . .	10
Masturbation, . . . . .	9
Pecuniary losses, . . . . .	3
Epilepsy, . . . . .	3
Religion, . . . . .	3
Fever, . . . . .	2
Religious excitement, . . . . .	2
Intemperance, . . . . .	2
Hereditary, . . . . .	2
Child bearing, . . . . .	2
Contusion on the head, . . . . .	1
Congestive fever, . . . . .	1
Puerperal fever, . . . . .	1
Jealousy, . . . . .	1
Inflammation of the brain, . . . . .	1
Religion and intemperance, . . . . .	1
Chronic rheumatism, . . . . .	1
Comet, . . . . .	1
Excessive use of quinine, . . . . .	1
Paralysis and intemperance, . . . . .	1
Disease of kidney, . . . . .	1
Paralysis and fever, . . . . .	1
Early immorality, . . . . .	1
Family trouble, . . . . .	1
Inordinate use of tobacco, . . . . .	1
Loss of child, . . . . .	1
Unknown, . . . . .	32
Total, . . . . .	86

TABLE SIXTH,

*Shows the number of patients committed from the respective counties, from August 1st, 1857, to January 1st, 1858.*

COUNTY.	NUMBER.		
	Male.	Female.	Total.
Alameda, . . . . .	2		2
Amador, . . . . .	2		2
Butte, . . . . .	1		1
Contra Costa, . . . . .	1		1
Calaveras, . . . . .	3		3
El Dorado, . . . . .	3		3
Mariposa, . . . . .	2		2
Monterey, . . . . .	1		1
Napa, . . . . .	2		2
Nevada, . . . . .	2	1	3
Placer, . . . . .	3	1	4
Siskiyou, . . . . .	4		4
Sacramento, . . . . .	8	3	11
San Francisco, . . . . .	13	4	17
Stanislaus, . . . . .	2		2
Santa Cruz, . . . . .	2		2
San Joaquin, . . . . .	5	4	9
San Mateo, . . . . .		1	1
Santa Barbara, . . . . .	1		1
Solano, . . . . .	1		1
Santa Clara, . . . . .	1		1
Sonoma, . . . . .	1		1
State Prison, . . . . .	2		2
Tuolumne, . . . . .	3	1	4
Trinity, . . . . .	1		1
Yuba, . . . . .	4	1	5

## TABLE SEVENTH.

*Shows the amount received for board, and the amount taken from the patients who have been admitted into the Asylum from August 1st to December 31st, 1857, inclusive.*

RECEIVED.				
On account of Asylum,	. . . . .	\$513 99		
Taken from patients,	. . . . .		\$483 87	
Total,	. . . . .			\$997 86
EXPENDED.				
On account of Asylum :				
For transportation of patients,	. . \$80 00			
For recapturing escapes,	. . 67 00			
For incidental expenses,	. . 160 00			
Paid cook,	. . 20 00			
		327 00		
Returned to patients,	. . . . .		89 00	
Total,	. . . . .			416 00
BALANCE ON HAND.				
On account of Asylum,	. . . . .	\$186 99		
On account of patients,	. . . . .		\$394 87	
Total on hand,	. . . . .			\$581 86



## ESTIMATE OF EXPENDITURES FOR 1858.

## ORDINARY EXPENSES.

Taking the increase of the last five months as a criterion for that of the current year, we find that it will be necessary to make provision for an average of two hundred and nineteen patients.

Provisions, clothing, medicines, and fuel for two hundred and nineteen patients, at \$208 60 per head, . . . . .	\$45,583 40
Four head keepers, at \$100 per month, . . . . .	4,800 00
Eleven assistant keepers, at \$60 per month, . . . . .	5,760 00
One matron, at \$100 per month, . . . . .	1,200 00
One steward, at \$125 per month, . . . . .	1,500 00
One clerk, at \$75 per month, . . . . .	900 00
One messenger, at \$30 per month, . . . . .	360 00
One watchman, at \$60 per month, . . . . .	720 00
One gardener, at \$70 per month, . . . . .	840 00
One laborer, at \$30 per month, . . . . .	360 00
One carpenter, at \$75 per month, . . . . .	900 00
One cook, at \$75 per month, . . . . .	900 00
Two assistant cooks, at \$50 per month, . . . . .	1,200 00
Two servants, at \$35 per month, . . . . .	840 00
Two washerwomen, at \$40 per month, . . . . .	960 00
Contingent expenses, . . . . .	5,000 00
Total, . . . . .	<u>\$71,823 40</u>

## ESTIMATE OF EXPENDITURES FOR 1858.

## EXTRAORDINARY EXPENSES.

Brick wall.  
 Mad-houses, for male and female patients.  
 Dining-room, for female patients.  
 Chapel.  
 Bathing-rooms.  
 Privies.  
 Iron bars, for the windows.  
 Store-house.  
 Underpinning southern wing.

The above improvements are deemed necessary for the safe-keeping and comfort of the patients.











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ANNUAL REPORT  
OF  
THE SURVEYOR GENERAL,  
FOR 1857.

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JOHN O'MEARA, STATE PRINTER.



SURVEYOR GENERAL'S OFFICE, }  
Sacramento, January 7th, 1858. }

To His Excellency,

J. NEELY JOHNSON,

*Governor of California :*

In accordance with the requirements of the "act concerning the office of Surveyor General," I have the honor to submit the following annual report of this office for the past year.

The delay in its transmission has arisen from causes beyond my control ; principally from the want of sufficient assistance in getting up the work of the office, and from the neglect of county assessors and surveyors to report properly.

The statistical information has been already furnished for your annual message, and the principal topics herein referred to have been reported for your notice.

Respectfully,

JOHN A. BREWSTER,  
Surveyor General.



# REPORT.



# ANNUAL REPORT.

## STATE LANDS.

In the annual reports from this office, heretofore made, attention was called by my predecessor and myself to the importance of proper legislation upon the landed interest of the state.

Thus far our efforts have proved of little avail, but it is hoped and believed that it will now receive proper notice and care.

Few unacquainted with the subject are really aware of the value, character, and present condition of this property.

The total area of the state of California has been carefully estimated: 99,463,680 acres, of which one-eighteenth, or the sixteenth and thirty-sixth sections, have been granted by the United States to the state for school purposes.

	Aeres.
This gives for schools 1-18, - - - - -	5,525,760
Add for university lands, - - - - -	46,080
Add for internal improvements transferred to School Fund, - -	500,000
Making, for school purposes alone, a total of, - - - - -	6,071,840
Add for public buildings, - - - - -	6,400
Add for swamp lands, - - - - -	5,000,000
A total of, - - - - -	11,078,240

Is shown, of lands donated to the state of California by the general government, of which a large body is exceedingly valuable.

This magnificent domain is well worthy of the utmost care, and yet much of it has already been lost to the state, its rightful proprietor, and much is being daily lost for want of suitable legislative action for its preservation.

The settler is far ahead of the state in every section, and lands which should properly be sold by the state for the benefit of her treasury, are constantly being purchased from the United States.

The principal cause of these difficulties and losses is to be found in the want of a central office in which could be collected all the information necessary to an establishment of the state's rights, and in which should be placed the authority to survey, select, register, and patent all lands sold by the authority of the state. At present the county surveyors are the only persons authorized to make surveys

of state lands, and they are necessarily compelled to act independently of each other or of any regular system. It is true, instructions of the Surveyor General's office require the work to conform to the system of the United States public land surveys, yet the numerous instances in which the United States lines have not been extended over the lands claimed by the state prevent that accuracy, in separate surveys, which can only be obtained by continuous and connected work in the field.

To explain more fully the present position of this interest and these difficulties, I refer to the result of the work of this office during the past year.

## SCHOOL LANDS.

In nineteen counties, forty-two locations have been made under eighty-two school land warrants, comprising 16,160 acres.

Of these, sixteen warrants are re-located, comprising 3,200 acres; three warrants for six hundred and forty acres being re-located to conform to United States government lines, the other thirteen warrants, for 2,560 acres, having their former locations abandoned. Nine warrants, for 2,080 acres are reported informal.

These locations in the several counties are particularly reported and described in the following

### STATEMENT:

#### BUTTE COUNTY.

Nos. 419 and 792, for 160 acres each, located on lands unsurveyed by the United States, including a part of Yankee Hill, taking 320 acres.

#### COLUSA COUNTY.

Nos. 105 and 485, for 160 acres each, located on S. half of N. E. quarter, N. half of S. E. quarter, and S. E. quarter of N. W. quarter of section 19, and W. half of S. W. quarter, and S. E. quarter of S. W. quarter of section 20, township 22 N., range 2 W., of Mount Diablo meridian, taking 320 acres.

No 115, for 320 acres, located on N. W. quarter, N. W. quarter of N. E. quarter, N. W. quarter of S. W. quarter of section 28, and S. E. quarter of N. E. quarter, and N. E. quarter of S. E. quarter of section 29, township 14 N., range 5 W., of Mount Diablo meridian, taking 320 acres.

#### CONTRA COSTA COUNTY.

Nos. 88 and 89, for 160 acres each, located on N. W. quarter of section 23, and S. W. quarter of section 12, township 1 S., range 1 W., of Mount Diablo meridian, taking 320 acres.

#### FRESNO COUNTY.

Nos. 727, 728, 732, and 738, for 160 acres each, located on N. W. quarter, N. E. quarter, S. W. quarter, and S. E. quarter of section 4, township 18 S., range 12 E., of Mount Diablo meridian, taking 640 acres.

Nos. 324, 826, and 827, the first for 320 acres, and the latter for 160 acres each, located on west half of section 33, and on N. E. quarter and S. E. quarter of section 32, township 17 S., range 12 E., of Mount Diablo meridian, taking 640 acres.

Nos. 729 and 730, for 160 acres each, located on N. W. quarter and S. W.



quarter of section 3, township 18 S., range 12 E., of Mount Diablo meridian, taking 320 acres.

#### KLAMATH COUNTY.

Nos. 568 and 679, for 160 acres each, fractional section 28, (all excepting that part covered by survey of Crescent City,) township 16 N., range 1 W., of Humboldt meridian, taking 295 14-100 acres. Re-located, to conform to United States lines.

Nos. 570 and 569, for 160 acres each, located on N. W. quarter, E. half of S. W. quarter, and W. half of S. E. quarter of section 11, township 17 N., range 1 W., of Humboldt meridian, taking 320 acres. Re-located.

#### LOS ANGELES COUNTY.

No. 172, for 320 acres, located on N. W. quarter of N. W. quarter of section 10, and N. E. quarter, S. E. quarter of N. W. quarter, and N. half of S. W. quarter of section 9, township 2 S., range 13 W., of San Bernardino meridian, taking 320 acres.

No. 227, for 320 acres, and No. 156, for 160 acres, located on E. half, E. half of N. W. quarter, and E. half of S. W. quarter of section 21, township 2 S., range 13 W., of San Bernardino meridian, taking 480 acres.

Nos. 290 and 291, for 160 acres each, located on S. W. quarter and S. E. quarter of section 17, township 2 S., range 13 W., of San Bernardino meridian, taking 320 acres.

Nos. 153, 165, and 786, for 160 acres each, located on S. E. quarter of section 17, N. E. quarter, and N. E. quarter of S. E. quarter of section 20, and fraction of S. W. quarter of section 21, township 1 S., range 14 W., of San Bernardino meridian, taking 480 acres.

#### MONTEREY COUNTY.

No. 201, for 320 acres, (one mile E. and W. and half a mile N. and S., on both sides of Carmel River, near its mouth.)

No. 200, for 320 acres, (one mile E. and W. and half a mile N. and S., on south side of Carmel River, near its mouth and Carmel Bay, Monterey county.)

#### NAPA COUNTY.

Nos. 322 and 323, for 320 acres each, located on fraction of S. E. quarter, fraction of N. half of S. W. quarter, fraction of S. E. quarter of S. W. quarter, S. half of N. W. quarter, S. W. quarter of N. E. quarter of section 7, fraction of S. W. quarter of S. W. quarter of section 8, fraction of W. half of N. W. quarter of section 17, fraction of N. half of N. E. quarter, fraction of S. E. quarter of N. E. quarter of section 18, township 13 N., range 7 W., Mount Diablo meridian, taking 630 acres.

Alkali lake included in the above subdivisions, of 226 acres.

Nos. 780, 816, and 820, for 160 acres each, located on S. W. quarter fraction of N. W. quarter, and N. W. quarter of S. E. quarter of section 5, and N. E. quarter of S. E. quarter fraction of S. E. quarter of S. E. quarter fraction of S. W. quarter of S. E. quarter fraction of S. E. quarter of S. W. quarter, and fraction of N. E. quarter of section 6, township 13 N., range 7 W., of Mount Diablo meridian, taking 473 50-100 acres.

Nos. 819 and 821, for 160 acres each, located on S. E. quarter fraction of S. E. quarter and S. W. quarter of N. E. quarter of section 5, and fraction of S. W.

quarter of section 4, township 13 N., range 8 W., of Mount Diablo meridian, taking 320 acres.

#### NEVADA COUNTY.

Nos. 434 and 550, for 160 acres each, located one mile E. and W. and half a mile N. and S., on both sides of Humbug Cañon and Malakoff Ravine, as shown by returns, taking 320 acres.

#### SACRAMENTO COUNTY.

No. 114, for 320 acres, located on W. half of section 32, township 8 N., range 6 E., of Mount Diablo meridian, taking 320 acres.

Nos. 501, 502, and 504, for 160 acres each, located upon lands not subdivided by the United States Public Land Surveyors, and adjoining the school lands, (locations of O. Harvey and D. K. Newell,) according to surveys returned, taking 480 acres. (These are re-locations from abandoned locations on swamp lands).

#### SAN DIEGO COUNTY.

No. 67, for 320 acres, located on S. E. quarter of section 23 and N. E. quarter of section 26, township 11 S., range 4 W., of San Bernardino meridian, taking 320 acres.

#### SAN JOAQUIN COUNTY.

Nos. 65 and 66, for 160 acres each, located on W. half of section 25, township 3 N., range 7 E., of Mount Diablo meridian, taking 320 acres. (Re-location.)

Nos. 301 and 302, for 160 acres each, located on E. half of section 25, township 3 N., range 7 E., of Mount Diablo Meridian, taking 320 acres.

#### SANTA CLARA COUNTY.

No. 78, for 320 acres, located on fraction of section 26, fraction of N. E. quarter of section 34, and fraction N. half of section 35, township 6 S., range 3 W., of Mount Diablo meridian, taking 319 54-100 acres.

No. 65 for 320 acres, and Nos. 26, 292, 394, and 395, for 160 acres each, located on S. half of S. E. quarter of section 29, W. half of N. E. quarter, N. W. quarter of N. E. quarter of S. E. quarter, and lots Nos. 1 and 2, section 32, lot No. 1 of section 31, S. W. quarter and S. half of N. W. quarter of section 29, S. E. quarter of N. E. quarter, and N. E. quarter of S. E. quarter of section 30, N. half of S. E. quarter, and S. half of N. E. quarter of section 29, township 6 S., range 2 W., of Mount Diablo meridian, taking 944 56-100 acres. (Nos. 394 and 395 are re-located).

Nos. 741, 791, 822, and 823, for 160 acres each, located on N. half of N. W. quarter, N. W. quarter of N. E. quarter of section 29, N. E. quarter of N. E. quarter of section 30, fraction part of section 21, lot No. 4 in section 20, N. W. quarter of N. W. quarter of section 28, N. E. quarter of N. E. quarter of section 29, lots Nos. 3, 4, and 5, section 19, S. W. quarter of S. E. quarter, S. quarter of N. E. quarter, and N. half of S. E. quarter of section 19, township 6 S., range 2 W., of Mount Diablo meridian, taking 625 28-100 acres.

No. 78, for 160 acres, located on S. E. quarter of S. E. quarter of section 19, township 6 S., range 2 W., of Mount Diablo meridian, taking 158 23-100 acres. (Re-located.)

No. 125, for 320 acres, located on S. W. quarter of section 34, township 6 S., range 2 W., and N. W. quarter of section 3, township 7 S., range 2 W., of Mount Diablo meridian, taking 320 acres.

Nos. 553 and 554, for 160 acres each, located on N. E. quarter, N. half of S. E. quarter, N. E. quarter of S. W. quarter, and S. E. quarter of N. W. quarter of section 25, township 6 S., range 1 E., of Mount Diablo meridian, taking 320 acres.

SANTA CRUZ COUNTY.

No. 48, for 320 acres, located on N. E. quarter of N. W. quarter, N. W. quarter of N. E. quarter of section 31, E. half of S. W. quarter, W. half of S. E. quarter, S. E. quarter of N. W. quarter, and S. W. quarter of N. E. quarter of section 28, township 10 S., range 1 W., of Mount Diablo meridian, taking 320 acres.

SISKIYOU COUNTY.

Nos. 30 and 31, for 160 acres each, located on the W. half of section 22, township 43 N., range 9 W., of Mount Diablo meridian, taking 320 acres.

Nos. 80 and 29, for 160 acres each, located on E. half of N. E. quarter, and E. half of S. E. quarter, of section 26, the W. half of N. W. quarter, and W. half of S. W. quarter, of section 25, township 43 N., range 9 W., of Mount Diablo meridian, taking 320 acres.

No. 219, for 320 acres, located on S. half of N. E. quarter, N. half of S. E. quarter, N. quarter of S. W. quarter, and S. E. quarter of N. W. quarter of section 23, and N. W. quarter of S. W. quarter, and S. W. quarter of N. W. quarter, of section 24, township 42 N., range 9 W., of Mount Diablo meridian, taking 320 acres.

No. 81, for 160 acres, located on E. half of S. E. quarter of section 23, and W. half of S. W. quarter of section 24, township 43 N., range 9 W., of Mount Diablo meridian, taking 160 acres.

SONOMA COUNTY.

Nos. 674 and 676, for 160 acres each.

No. 163, for 320 acres, located on the S. E. quarter of S. E. quarter of section 11, S. W. quarter of S. W. quarter, S. E. quarter of S. W. quarter, S. W. quarter of S. E. quarter, and S. E. quarter of S. E. quarter of section 12, and W. half of N. E. quarter, N. W. quarter of S. E. quarter, and N. W. quarter and S. W. quarter of section 13, township 6 N., range 10 W., of Mount Diablo meridian, taking 640 acres.

No. 68, for 320 acres, located on S. E. quarter of section 15, and N. E. quarter of section 22, township 6 N., range 9 W., of Mount Diablo meridian, taking 320 acres.

Nos. 138, 139, 140 and 141, for 160 acres each, located on the S. E. quarter of section 31, S. W. quarter of section 32, township 8 N., range 7 W., of Mount Diablo meridian, N. W. quarter of section 5, and N. E. quarter of section 6, township 7 N., range 7 W., Mount Diablo meridian, taking in all 640 acres.

TEHAMA COUNTY.

Nos. 368 and 391, for 160 acres each, located on S. E. quarter and S. W. quarter of section 33, township 25 N., range 1 W., of Mount Diablo meridian, taking 320 acres.

Nos. 27 and 790, for 160 acres each, located on W. half of N. E. quarter, and E. half N. W. quarter, of section 5, and E. half of S. W. quarter, and W. half of S. E. quarter, of section 5, township 24 N., range 1 W., of Mount Diablo meridian, taking 320 acres.

No. 158, for 320 acres, located on E. half of S. E. quarter of section 19, the



S. W. fractional quarter of section 20, N. half of N. W. quarter of section 29, township 27 N., range 3 W., of Mount Diablo meridian, taking 291 16-100 acres (re-located, to conform to U. S. government lines).

#### TUOLUMNE COUNTY.

No. 156, for 320 acres, re-located from Santa Clara county, upon lands unsurveyed by U. S., and described in the field notes and plat on file.

These are the locations returned to this office. How many of these have been located before, or in how many different places, it is impossible for the Surveyor General, or the state, to know, as the law prescribes no certain and definite mode of location and float. Besides, the law now permits the holder of the warrant, at his option, to locate under the survey and certificate of the county surveyor, as reported to this office, or to locate directly in the office of the register of the U. S. land district in which the lands may lie. No information is received by the state of such locations, yet the selections thus made far exceed in number those made under state laws and reported to this office. This conflict of jurisdiction between the U. S. and state authorities, is occasioning much embarrassment, and the evil is daily increasing, as no means are provided by law for informing the general government of the selections made by the state authorities. Of the 500,000 acres for which these warrants are issued, there were sold last year 3,520 acres, which with those previously sold make a total of

324 warrants, for 320 acres each,	-	-	-	-	-	-	-	-	103,680
And 836 warrants, for 160 acres each,	-	-	-	-	-	-	-	-	133,760
									<hr/>
Being,	-	-	-	-	-	-	-	-	237,440

Acres, at \$2 each, valued at \$474,880, leaving a balance of 262,560 acres of the value of \$525,120 yet unsold.

Of the warrants already issued, no reliable information can be given as to the number located, or the number held in the hands of scrip speculators, nor can there be any such information obtained until the Surveyor General is authorized to select the amount donated. I would recommend that the Surveyor General be at once authorized to select the lands remaining unsold, and register the same in his office for sale. This land might be selected in bodies of even 20,000 or 50,000 acres, in portions of the state where fertile, well-timbered and well-watered land can be found now unoccupied. Their value will daily increase, and to save them from occupancy and purchase under the U. S. pre-emption laws prompt action is *necessary*.

The same action is needed for the regulation of the mode of selecting the sixteenth and thirty-sixth sections in each township, or their equivalents.

The same system of pre-emption occupancy referred to above, is found here. The settler is fast taking up these valuable lands, and the state interest daily suffering loss. In my report last year, I recommended the placing of these lands, as a whole, under the supervision of the state Board of Education, and not to have them scattered about the state under the control of counties or townships. The same recommendations are hereby renewed.

During the past year, no selections were made in any county of these lands, either of the sixteenth and thirty-sixth sections themselves or of their equivalents. I presume this is owing to the fact that no appropriations were made for the purpose, and where no payment is made, either by the state or county authorities for the work, it is impossible for the county surveyors to perform their duties in this respect. Another cause is the lack of correct information as to the U. S. public

surveys. The state Surveyor General was empowered to procure from the U. S. Surveyor General's office copies of the plats of such townships as he deemed necessary to guide him and the county surveyor in making selections.

More than four hundred plats were procured, copied in this office and distributed. The difficulty of obtaining payment has prevented the purchase of more, and the state authorities are thus deprived of the opportunity of procuring information of the last importance to her interests. To procure the required plats and notes, I recommend an appropriation of \$3,000.

### SWAMP AND OVERFLOWED LANDS.

During the past year, there have been returned to this office, four hundred and eleven surveys of swamp and overflowed lands, within sixteen counties, and comprising 87,989-58 acres, which are more specifically reported in the following

#### STATEMENT.

NAMES OF COUNTIES.	NO. OF SURVEYS.	NO. OF ACRES.
Alameda, - - - - -	6	871-23
Contra Costa, - - - - -	28	8,704-85
Del Norte, - - - - -	18	2,400
Humboldt, - - - - -	7	602-60
Merced, - - - - -	1	22-21
Napa, - - - - -	7	1,052-88
Sacramento, - - - - -	17	3,640
San Francisco, - - - - -	1	120
San Joaquin, - - - - -	111	31,723-36
Siskiyou, - - - - -	13	2,945-50
Solano, - - - - -	28	6,330-06
Sonoma, - - - - -	6	1,499-25
Stanislaus, - - - - -	2	123-64
Sutter, - - - - -	20	3,640
Tulare, - - - - -	142	23,594
Yolo, - - - - -	4	720
Total, - - - - -	411	87,989-58

This amount would, in my opinion, have been much greater, had the rule of determination been insisted upon by the state, as to the character of lands within or without the purview of the act of donation from the U. States.

In my former report, I had occasion to refer to the difference of opinion arising on this subject between the officers of the general and state governments. I again earnestly call the attention of the Legislature to the importance of this subject.

From the reports of the county surveyors and other citizens interested in, and acquainted with the peculiar character of these lands, I have no hesitation in stating that not less than 2,000,000 acres of valuable lands of this kind truly belonging to the state of California, are at this hour claimed by the U. States authorities here, and are being held for pre-emption and sale under the U. S. public land surveys. In Fresno county alone, the surveyor reports 900,000 acres of fertile and available lands, which are to all intents, and in the true meaning of the law

and the instructions of the general land office, the property of the state, as swamp and overflowed, and which are now claimed, and in part offered for sale by the U. States.

In other portions of the state, the same statements are made, and I call the attention of the Legislature to the reports on this subject in the appendix.

The cause is readily understood. The U. S. deputy surveyor, whose work is done by contract, seeing the land only during the day in which he is engaged upon the survey, reports as much of it dry land as he can find over which to stretch his chain. This may be, and often is done during the driest part of the year. His report, unsupported by any testimony, any certificate, any affidavit, is considered the last proof of the character of the soil. Yet two months after his survey, it may be, a boat would be necessary to pass over his lines.

On the other hand, claims laid by the state to this land are required to be supported by the testimony, under oath, of men of the neighborhood who have well known the property for a length of time, and from whose sworn statements the character of the land, "taking the average season for a reasonable number of years as a rule of determination," is understood as falling within or without the purview of the swamp land act.

After reclamation, these lands are found to be the most prolific in the state. Many citizens are ready and desirous to locate and improve them, if they can be assured of a title and protection. Day after day is the state interest suffering deep injury from the want of legislative action; and from the reasons here given, and from those adduced in my last year's report, to which I would call attention, I would respectfully ask that notice which the importance of the subject really deserves.

Of another point in this matter I desire to speak. The present system of obtaining a title from the state is tedious, troublesome, and expensive.

The purchaser, after his preliminary affidavit, obtains a costly survey of the tract desired, pays the county treasurer the one dollar per acre, and has the receipt and survey return recorded in the county recorder's office.

The County Treasurer reports to the State Treasurer, the County Surveyor reports to the Surveyor General; these officers examine, and if correct, approve. The Secretary of State, on receiving the approval certificates of these officers, with the Governor, issues the patent.

This system is manifestly wrong, and entails great cost on the purchaser. It also prevents that systematic action so necessary in all matters pertaining to the perfection of land titles, by dividing duties among officers having no relative responsibility to each other. Especially is this the case as to surveyors. For example, where a difference of opinion arises as to the true line of a county through an unsurveyed and swampy district (as has been the case), the surveyors of either county may survey and report the same land to two individuals, each of whom may pay his money into the treasury, and each of whom may, as the law now stands, obtain a patent from the Governor for the same identical tract of land. This office has no power to refuse surveys on such grounds, nor has any other officer of the state such power of refusal.

I can point out but one remedy for these evils; one, which I respectfully submit, after much careful examination of the subject, is, in my opinion, the most certain and satisfactory.

The lands of the state, whether swamp and overflowed, donated for internal improvements, for school and university purposes, or for public buildings, should be at once segregated by the Surveyor General, either alone, or associated with the Board of Education, or with the U. S. Surveyor General. The lines of segregation should be run and marked where they have not been already so run by the United States authorities. All selections should be supported by the needed proofs to substantiate the state's claim, and registered in detail with the maps, field notes,



and records, in the office of the Surveyor General of the state. Thus a state land office would be created, of which the Surveyor General would be the register, and the whole property of the state being thus at once secured, and each subdivision thereof being perfectly well known, sales could be effected at any time as they now are in the U. S. land office, and all conflict of title or claim avoided. Besides, the surveys thus being made, and the lands segregated and registered, the purchaser from the state would be relieved from a cost of from fifty to one hundred and fifty dollars, as is now the case, and his whole expense for a title need not exceed ten or fifteen dollars. The expense of this work would be paid out of the sales of the lands themselves, and instead of burdening either the state treasury or the citizen purchaser, the latter would be relieved, and the increased sale of land would replenish the former.

Another benefit would be, to relieve a want now greatly felt. No means are afforded, no way is provided, by which the United States government may be informed of the selections made either by the state, or any state agent, of the donated lands as fast as the selections were made by the Surveyor General. His lists and plats could be forwarded to the Secretary of the Interior, and the lands then certified over to the state.

I have taken the responsibility to transmit to the Secretary of the Interior a list of the selections thus far made by the state, of lands donated to her, according to the returns on file in my office. This has been done, in order to attempt something towards saving for the state the noble property to which she is entitled. Although such a step is not required by law, I hope its good effects will be seen in the prevention of the occupancy and sale of the same lands to the benefit of the treasury of the United States, and to the injury of that of California.

I would respectfully recommend the abolition of all restrictions of the sale of swamp and overflowed lands within certain limits; or if these reserved lands be shown of superior value, that they be placed at a higher price than the ordinary class. This restriction is operating injuriously to a large body of settlers, who have improved and reclaimed these very lands, yet who are unable to obtain a title. Some of these lands are valued at \$20, and even \$40, per acre; and if a title were given, they would materially increase the amount of taxable property. The amount of acres permitted to be purchased might be increased with benefit to the interest of the state, affording, as such increase would, inducements to the purchase and redemption of large tracts, now in many places almost impossible, from the difficulty of a combination of capital and labor among the proprietors of small tracts.

Upon the questions of reclamation and improvement, I would refer to the last annual report of this office, in which I endeavored to treat of them in detail, and respectfully urge again the views then expressed.

## COUNTY BOUNDARIES.

But one survey of a county line has been returned to this office—that of the boundary between the counties of Contra Costa and Alameda, under the requisition of the board of supervisors of Contra Costa county upon this office in October 5th, 1857. A commission was issued on October 7th, 1857, to Warren Brown, C. E., as Deputy Surveyor General, he having been recommended by the board of supervisors. The survey, being of that part of the said line “between San Francisco bay and Joel Harlan’s house in Amador valley,” has been made, and the field notes and plat are on file in this office.

This survey, ordered and paid for by the board of supervisors, is for the purpose of determining a difference between Alameda and Contra Costa counties as to the position of the western extremity of their boundary. A survey made under this office, last year, by Mr. H. A. Higley as my deputy, had determined

the boundary location, and a change must be effected by legislative action only to set aside his survey as reported.

A survey of the lines of San Mateo county was called for, and Mr. Garbi, the county surveyor, was appointed for the work, but no report has been received, and it is believed no action was ever taken under my instructions.

Many of the county boundaries need changing, of which mention is made in the reports of the several surveyors and assessors, to which I refer for more explicit information.

## ROADS.

Of the immigrant roads over the Sierra Nevada it is needless to say more than to attract notice to the propriety of state legislation to assist the action already being taken by counties and companies for their improvement. The people themselves have taken up the question, and a judicious revision of the act concerning highways is perhaps all that is needed at present. The act is notoriously inefficient for county purposes, as the needed improvement of the public thoroughfares cannot be obtained under its provisions. I would again recommend that the county surveyors be made road commissioners, having sole charge of road work, and be paid proper remuneration for their services. Tax-payers appreciate this kind of outlay of the money they pay into the public treasury better than any other, and are willing to meet it cheerfully. The system recommended by my predecessor, or some similar one, should be at once adopted.

## EASTERN BOUNDARY.

The line of the eastern boundary of the state has never been authoritatively established, and many difficulties have arisen as to the proper jurisdiction of the counties bordering on it. Sheriffs and assessors are impeded in the exercise of their duties, and much confusion in the administration of law has resulted. A large taxable property is rapidly accumulating in the various valleys along the line, and its permanent location should at once be made. I would recommend that an appropriation of \$5,000 be made for this purpose, and that the Surveyor General be authorized to make the survey in connection with the United States Surveyor General, or other authorized government agent.

## STATE MAP.

The remarks on this subject, in my last annual report, are of the same force now as they were then. The need of a correct map is even greater now than then. The so-called official map of California, by Eddy, is still acknowledged. No other state has enjoyed equal advantages with California, for improvement in this respect, and in no other state would a correct knowledge of the topography of the country be of such public utility. We are far behind the rest of the Union in these matters, and I urgently request that so important a subject may meet the notice it deserves.

## INTERNAL IMPROVEMENTS.

It is made the duty of the Surveyor General to suggest plans for land improvements, drainage, reclamation, etc., but no action has been yet taken to establish any system under the control of state officers. No suggestions can be yet made with any practical utility. In my former report, an exposition was given of a system of improvement upon reclamations of the swamp lands. The recommendations then made are renewed, and the propriety of one general established system insisted upon, instead of leaving so important a matter to the disconnected operations and

differing plans of individuals or counties. Whenever legislation is had on this subject, the Surveyor General should be placed in control of the work, and the system adopted should be of uniform operation in the several districts.

### STATISTICS.

As required by law, I issued a circular to county surveyors, and one to county assessors, calling upon them for the information required to be transmitted to this office concerning the statistics named in the law. I also issued a circular to the boards of supervisors, enclosing copies of the others, and asking the co-operation of the boards in obtaining the desired information; these will be found in the appendix.

Much difficulty has been experienced in procuring a compliance with the provisions of the law. Duplicate, triplicate, and even quadruplicate circulars were issued before answers could be obtained, in several cases. Difficulty also arose from the unsatisfactory character of many of the reports. In some cases, these reports show intelligence, ability, industry and public spirit, and reflect the highest credit upon their authors; while others are deficient, and lamentably so, in the necessary qualities for correctness and value. The requirements of the law for reports on agricultural statistics from surveyors should be stricken out. The surveyors are paid nothing for the time and labor bestowed, and these matters are, moreover, out of their province. The assessors, who are paid for their services, should be compelled, under penalty, to afford the desired statistics, and proof given that their reports had been transmitted to this office before their accounts should be audited.

There have been received at this office, this year, reports from:—

James T. Stratton, county surveyor of Alameda county.  
 James Masterson, ex-county surveyor of Amador county.  
 J. W. Scott, ex-county surveyor of Butte county.  
 Daniel Small, county surveyor of Contra Costa county.  
 D. C. Lewis, county surveyor of Del Norte county.  
 T. C. Shullo, county surveyor of Fresno county.  
 Wm. Henderson, ex-county surveyor of El Dorado county.  
 Alfred D. Easkoot, county surveyor of Marin county.  
 J. P. Davenport, ex-county surveyor of Monterey county.  
 Nathaniel L. Squillb, county surveyor of Napa county.  
 John L. Gamble, county surveyor of Nevada county.  
 James H. Whitlock, county surveyor of Plumas county.  
 Ebenezer Nidever, county surveyor of Santa Barbara county.  
 Charles T. Healy, county surveyor of Santa Clara county.  
 Wm. Magee, ex-county surveyor of Shasta county.  
 W. G. Strill, ex-county surveyor of Sierra county.  
 John Mellen, county surveyor of Siskiyou county.  
 Wm. Mock, county surveyor of Sonoma county.  
 Phil. E. Drescher, county surveyor of Sutter county.

These, nineteen in number, will be found in the appendix. Last year there were four more reports sent in, and the reports of last year, as a whole, contained more information of a valuable character than the present ones. In my belief the reason for this is to be found in the fact that surveyors receive no remuneration for such services, performed, as they now are, from professional pride, and from the fact that last year no publication was made of their reports, elaborated as they were with great care, and full of useful information.

Of the present reports, I might especially refer to those from the counties of



Del Norte, El Dorado, Plumas, and Santa Clara, for the ability and care exhibited by their authors, and to call attention to the remarks on county boundaries from Del Norte, El Dorado, Monterey, Plumas, Santa Clara, Siskiyou and Sutter; on swamp lands, from Alameda, Contra Costa, Del Norte, Fresno, Marin, Napa, Plumas, Sonoma and Sutter; on school lands, from all the counties; on roads, from Alameda, Monterey, Santa Barbara and Shasta; on artesian wells, from Monterey and Santa Clara; on geology, from El Dorado and Santa Clara. I might refer to other topics, but trusting the whole report and appendix will be printed for public use, I leave to an examination of the reports themselves, the effect their valuable character should produce.

I would again ask, in the name of the county surveyors, a judicious system of fees which would allow a decent livelihood to competent men. The pittance afforded by the present tariff, can not insure such men's services. Also, that county surveyors be empowered to administer oaths, and take affidavits, when necessary for their official duties, and that offices be furnished them by their respective counties.

There have been received, for the year 1857, reports from—

C. C. Breyfogle, county assessor of Alameda county.  
 H. A. Eichelberger, county assessor of Amador county.  
 J. H. Lillard, county assessor of Butte county.  
 Geo. C. Tryon, county assessor of Calaveras county.  
 Isaac Ricketts, county assessor of Colusa county.  
 Obed F. Alley, county assessor of Contra Costa county.  
 Solon Hall, county assessor of Del Norte county.  
 John G. Simpson, county assessor of Fresno county.  
 H. W. Merrett, county assessor of El Dorado county.  
 Jacob De Haven, county assessor of Humboldt county.  
 Klamath county.  
 Manuel F. Coronel, deputy county assessor of Los Angeles county.  
 Warren Dutton, county assessor of Marin county.  
 Nat. Harbert, county assessor of Mariposa county.  
 J. W. Robertson, county assessor of Merced county.  
 J. R. Porter, ex-county assessor of Monterey county.  
 A. S. Smith, ex-county assessor of Placer county.  
 J. J. L. Peel, county assessor of Plumas county.  
 J. Foot Turner, county assessor of Sacramento county.  
 James H. Rollins, county assessor of San Bernardino county.  
 Chas. R. Bond, county assessor of San Francisco county.  
 T. S. Strout, ex-county assessor of San Joaquin county.  
 C. E. Kelly, county assessor of San Mateo county.  
 Eugene Lies, county assessor of Santa Barbara county.  
 J. C. Bland, county assessor of Santa Clara county.  
 Thomas M. Davis, county assessor of Santa Cruz county.  
 R. R. Luce, county assessor of Shasta county.  
 A. J. McKinsey, county assessor of Sierra county.  
 J. W. Thomas, county assessor of Siskiyou county.  
 J. S. Jameson, county assessor of Solano county.  
 Wm. G. Lee, county assessor of Sonoma county.  
 Sam. N. Hoyt, county assessor of Stanislaus county.  
 Chas. E. Fisher, county assessor of Tehama county.  
 A. R. Earl, deputy county assessor of Trinity county.  
 Unsigned, Tulare county.  
 James P. Clough, county assessor of Tuolumne county.  
 John M. Drake, deputy county assessor of Yolo county.  
 F. M. Davenport, county assessor of Yuba county.

In all, thirty-eight counties, a larger number than ever before reported. Reports have been received from all the counties in the state, either through the surveyors or assessors, except from San Diego and San Luis Obispo. To assist the assessors, I issued a printed blank form of statistical returns, containing the items desired to be reported. This has proved of material benefit in insuring full reports of county statistics. The public utility and value of these reports is evident at a glance at them as shown in the appendix, and at the tables and statistical notes compiled therefrom, which follow.

Communications of value have been received from Mr. Downer on the swamp lands of Tulare Valley and from Mr. Alex. S. Taylor, of Monterey, upon changes in the laws affecting this office in its communication with other state and county officers in the selection of statistical, geographical and geological information. To these attention is asked.





TAXABLE PROPERTY.



TABLE OF STATISTICS—COMPILED FROM THE OFFICIAL REPORTS OF COUNTY ASSESSORS, FOR THE YEAR 1857, RETURNED TO THE SURVEYOR GENERAL



TABLE OF STATISTICS—COMPILED FROM THE OFFICIAL REPORTS OF COUNTY ASSESSORS, FOR THE YEAR 1857, RETURNED TO THE SURVEYOR GENERAL.

## HORTICULTURAL PRODUCTS—NUMBER OF TREES AND VINES.

ASSESSED VALUE OF PROPERTY.

[illegible]





TABLE OF STATISTICS—COMPILED FROM THE OFFICIAL REPORTS OF COUNTY ASSESSORS, FOR THE YEAR 1857, RETURNED TO THE SURVEYOR GENERAL.

[illegible]



# ABSTRACT OF TAXABLE PROPERTY

RETURNED BY COUNTY ASSESSORS AND SURVEYORS.

## RECAPITULATION.

Agricultural Products, Live Stock, Improvements, etc., etc.	Total.	Number of Counties.
Acres of land enclosed, - - - - -	597,610	22
Cultivated, - - - - -	508,267	31
Acres of wheat, - - - - -	126,038 $\frac{1}{4}$	34
Bushels, - - - - -	2,172,818	32
Acres of barley, - - - - -	196,934	34
Bushels, - - - - -	4,449,581	31
Acres of oats, - - - - -	36,894	31
Bushels, - - - - -	1,097,399	28
Acres of rye, - - - - -	963	14
Bushels, - - - - -	31,967	13
Acres of corn, - - - - -	12,141	26
Bushels, - - - - -	410,293	21
Acres of buckwheat, - - - - -	1,065	11
Bushels, - - - - -	30,445	9
Acres of peas, - - - - -	1,933	19
Bushels, - - - - -	54,938	14
Acres of beans, - - - - -	10,068	26
Bushels, - - - - -	132,595	18
Acres of potatoes, - - - - -	18,847	33
Bushels, - - - - -	1,522,397	27
Acres of sweet potatoes, - - - - -	454	10
Bushels, - - - - -	78,567	8
Acres of onions, - - - - -	1,046	21
Bushels, - - - - -	107,804	17
Acres of hay, - - - - -	66,836	23
Tons, - - - - -	84,837	29
Acres of tobacco, - - - - -	14 $\frac{1}{2}$	4
Pounds, - - - - -	1,800	1
Acres of broom corn, - - - - -	457	11
Pounds of butter, - - - - -	1,942,861	24
Pounds of cheese, - - - - -	1,067,418	20
Pounds of wool, - - - - -	843,577	18

Agricultural Products, Live Stock, Improvements, etc., etc.	Total.	Number of Counties.
Dozens of eggs, - - - - -	1,043,500	23
No. of apple trees, - - - - -	526,834	32
No. of peach trees, - - - - -	886,168	32
No. of pear trees, - - - - -	76,539	30
No. of plum trees, - - - - -	36,041	30
No. of cherry trees, - - - - -	43,409	29
No. of nectarine trees, - - - - -	11,265	19
No. of quince trees, - - - - -	28,203	27
No. of apricot trees, - - - - -	22,918	27
No. of fig trees, - - - - -	9,975	20
No. of aloe trees, - - - - -	7	1
No. of citron trees, - - - - -	175	4
No. of lemon trees, - - - - -	146	4
No. of orange trees, - - - - -	318	6
No. of olive trees, - - - - -	3,944	8
No. of pomegranate trees, - - - - -	4,177	10
No. of prune trees, - - - - -	865	6
No. of persimmon trees, - - - - -	10	1
No. of pecan trees, - - - - -	66	3
No. of chirimoya trees, - - - - -	16	1
No. of almond trees, - - - - -	4,806	14
No. of walnut trees, - - - - -	4,211	12
No. of filbert trees, - - - - -	176	6
No. of gooseberry trees, - - - - -	58,484	21
No. of raspberry trees, - - - - -	24,504	16
No. of strawberry vines, - - - - -	884,424	19
No. of grape vines, - - - - -	1,862,038	31
No. of tons of grapes, - - - - -	51,467	7
No. of gallons of wine made, - - - - -	288,400	4
Value of fruit raised, - - - - -	\$145,976	8
No. of American horses, - - - - -	19,682	25
No. of Spanish horses, tame, - - - - -	26,104	22
No. of Spanish horses, wild, - - - - -	51,019	16
No. of mules, - - - - -	22,878	36
No. of asses, - - - - -	1,702	29
No. of cows, - - - - -	118,133	33
No. of calves, - - - - -	72,309	28
No. of stock cattle, - - - - -	334,670	29
No. of beef cattle, - - - - -	39,466	23
No. of oxen, - - - - -	22,536	32
No. of sheep, - - - - -	257,150	35
No. of goats, - - - - -	12,063	31
No. of hogs, - - - - -	143,786	37
No. of chickens, - - - - -	402,111	29
No. of turkeys, - - - - -	20,761	27
No. of ducks, - - - - -	9,300	21
No. of geese, - - - - -	1,628	19
No. of cattle slaughtered, - - - - -	69,661	20
value, - - - - -	\$1,924,675	16
No. of hogs slaughtered, - - - - -	43,269	20
value, - - - - -	\$458,560	16

Agricultural Products, Live Stock, Improvements, etc., etc.	Total.	Number of Counties.
No. of sheep slaughtered, - - - - -	43,977	15
value, - - - - -	\$226,568	12
No. of grist-mills, - - - - -	102	27
No. of steam-power grist-mills, - - - - -	42	18
No. of run of stones, - - - - -	94	17
value, - - - - -	\$443,000	17
No. of water-power grist-mills, - - - - -	52	20
No. of run of stones, - - - - -	100	20
value, - - - - -	\$439,100	21
No. of bushels of grain ground per annum, - - -	2,871,617	12
No. of saw-mills, - - - - -	342	31
No. of steam-power mills, - - - - -	111	21
No. of water-power mills, - - - - -	194	22
Value of saw-mills, - - - - -	\$724,160	13
No. of feet of lumber sawed, - - - - -	308,531,500	24
No. of quartz mills, - - - - -	132	13
value, - - - - -	\$558,800	8
No. of tons of quartz crushed, - - - - -	206,547	9
No. of mining ditches, - - - - -	550	13
value, - - - - -	\$1,516,500	5
No. of miles in length, - - - - -	2,901	13
No. of turnpike roads, - - - - -	23	8
No. of miles in length, - - - - -	225	9
Cost of, - - - - -	\$91,500	7
Income of, - - - - -	\$14,400	3
Cost of repairs, - - - - -	\$1,950	4
No. of ferries, - - - - -	109	20
value, - - - - -	\$79,200	10
No. of toll-bridges, - - - - -	99	16
value, - - - - -	\$286,500	11

## STATISTICAL NOTES.

### ALAMEDA COUNTY.

Brick court-house and jail just been completed at a cost of \$35,000; seven artesian wells, depth from one hundred and fifty to three hundred feet.

### AMADOR COUNTY.

The total number of fruit-trees and vines, from one to four years' growth, is 41,792, and were planted at a cost of \$23,800. Average value of lumber at the mills, has been \$25 per M; value of lumber sawed annually is \$234,000. There is a foundry located at Sutter Creek, which turns out some two hundred tons of castings per annum. One tannery; four breweries; three soda manufactories;



four lime-kilns; and six brick-kilns. Probable yield of the placer mines is annually about \$1,000,000.

#### BUTTE COUNTY.

The water-works in Oroville, which are the only property of this nature in the county, are valued at \$7,000. There is one tannery in this county, which is located at Oro Lena, and valued at \$3,000. The coal of the Table Mountain Coal Company's mine, as far as tested, makes excellent fuel, but does not answer for mechanical purposes.

#### EL DORADO COUNTY

There are sixty-seven miles of telegraph in this county; three tanneries, valued at \$6,000; ten breweries, and five soda manufactories. The quantity of ice put up last winter is estimated at four hundred tons. Lime and marble abound throughout the county. There are four marble-quarries and eleven lime-kilns in the county. Veins of copper ore, containing a large per centage of silver, have been discovered and partially opened.

#### PLACER COUNTY.

There are, in this county, about 400,000 acres of land claimed, located, and occupied. The aggregate taxable valuation of houses and buildings is \$243,154; of merchandise, \$300,000; of money, \$140,688; of money at interest, \$116,391; of mining capital, \$179,543; of solvent debts, \$165,000; of household furniture, \$17,730; of hens and their product, together, \$16,465; of ditches and canals, \$325,600; of quartz-mill machinery, \$28,400; of toll-bridges, disconnected with turnpike-roads, \$14,600; of saw-mill machinery, \$65,000; turnpikes and bridges, \$60,750.

#### PLUMAS COUNTY.

American Valley embraces an area of 10,000 acres; Indian Valley, 20,000 acres; Big Meadows, 60,000 acres; Mountain Meadows, 7,000 acres; Honey Lake Valley, 40,000 acres; and Beckworth Valley, 30,000 acres. There are five other smaller valleys, comprising in all, six or seven thousand acres, "estimating the whole at 173,000 acres, the greater part of which could well be denominated swamp and overflowed land, one-tenth of which has been reclaimed." In this county there are two lime-kilns and two brick-kilns.

#### SACRAMENTO COUNTY.

There are 94,766 acres of land claimed, independent of Spanish grants, by actual settlers.

#### SAN FRANCISCO COUNTY.

The approximate area is 26,000 acres; of the cultivated land, 500 acres are used for vegetables. There are three ship-yards in the county—four steamers, (bay and river,) of an aggregate burthen of 1,600 tons, and four sail vessels, of an aggregate of 200 tons, have been launched this season; one marine railway for repairs; thirteen brick-yards, employing 134 men; bricks made annually, 53,000,000.

#### SAN MATEO COUNTY.

Land suitable for tillage, 40,000 acres; lands suitable for grazing alone, 15,000



acres; timbered, (oak,) 30,000 acres; timbered, (redwood,) 30,000 acres; marsh, or overflowed land, 8,000 acres. There are three artesian wells in the county. The length of telegraph in the county is about thirty-seven miles.

#### SANTA BARBARA COUNTY.

Bitumen is abundant in this county. Tobacco and cotton have been cultivated experimentally, with such success as to encourage the investment of capital in both enterprises.

#### SISKIYOU COUNTY.

Number of American citizens, 5,000; foreigners, 1,500. Number of women, 700; children, (both sexes,) 1,000; total population, 8,200. Acres of land adapted to agricultural purposes, 75,000; swamp and overflowed land, 25,000 acres; 5,550 acres vegetables, beside those enumerated in the tables.

### THE SURVEYOR GENERAL'S OFFICE.

To properly fulfill the duties imposed on this office, the Surveyor General should be an educated and skillful engineer, with a pride in his profession, and ambition as a state officer. Such a man, with aid from the Legislature by judiciously framed laws, and appropriations made in a spirit of just liberality, could do more for the benefit of the state, in developing her resources, presenting before the world in their proper light the many inducements for settlement and investment, and in furnishing a mass of valuable information on every topic of public interest to the miner, the merchant, the statist, the legislator, the geologist, and the agriculturist, than would seem possible to those who have not carefully looked into the importance of the subject.

Many laws of various kinds are now in force imposing duties on the Surveyor General, and yet he is deprived of the means of properly performing them; and others have duties to fulfill which properly belong to his province, and enjoy emoluments therefrom, while he is left, as an important state officer, on a salary insufficient to pay his necessary personal expenditures.

A salary proportionate to the dignity and duties of the office, and appropriations suitable for carrying on its work, would soon produce a salutary effect. I would respectfully recommend the establishment of a State Land Office, as before described in this report, and that the Surveyor General be the Register of the office, with a salary of \$1,500 per annum; that the state lands be at once segregated from the public domain of the United States, upon a plan the expense of developing which should be paid out of the sale of the lands; that the Surveyor General be authorized to visit the several United States land offices to examine their records, and obtain information to guide him in selecting the state lands; that the school lands be at once selected, in bodies of any convenient size, on any unoccupied public lands of the United States where found most valuable, and for this purpose that an appropriation of \$3,000 be made; that the necessary maps be procured from the United States Surveyor General, guides to the selections of lands as before alluded to; and that the laws be so amended as to require the Surveyor General to report every three months to the Secretary of the Interior the selections of lands made by the state, reporting also the same, as fast as selected, to the registers of the proper United States land districts, so that the lists may be certified over by the United States to the state.

I also recommend that the Surveyor General be empowered, equally with the county surveyors, to make surveys within the state, and to administer oaths and take necessary affidavits in the course of his official duties.

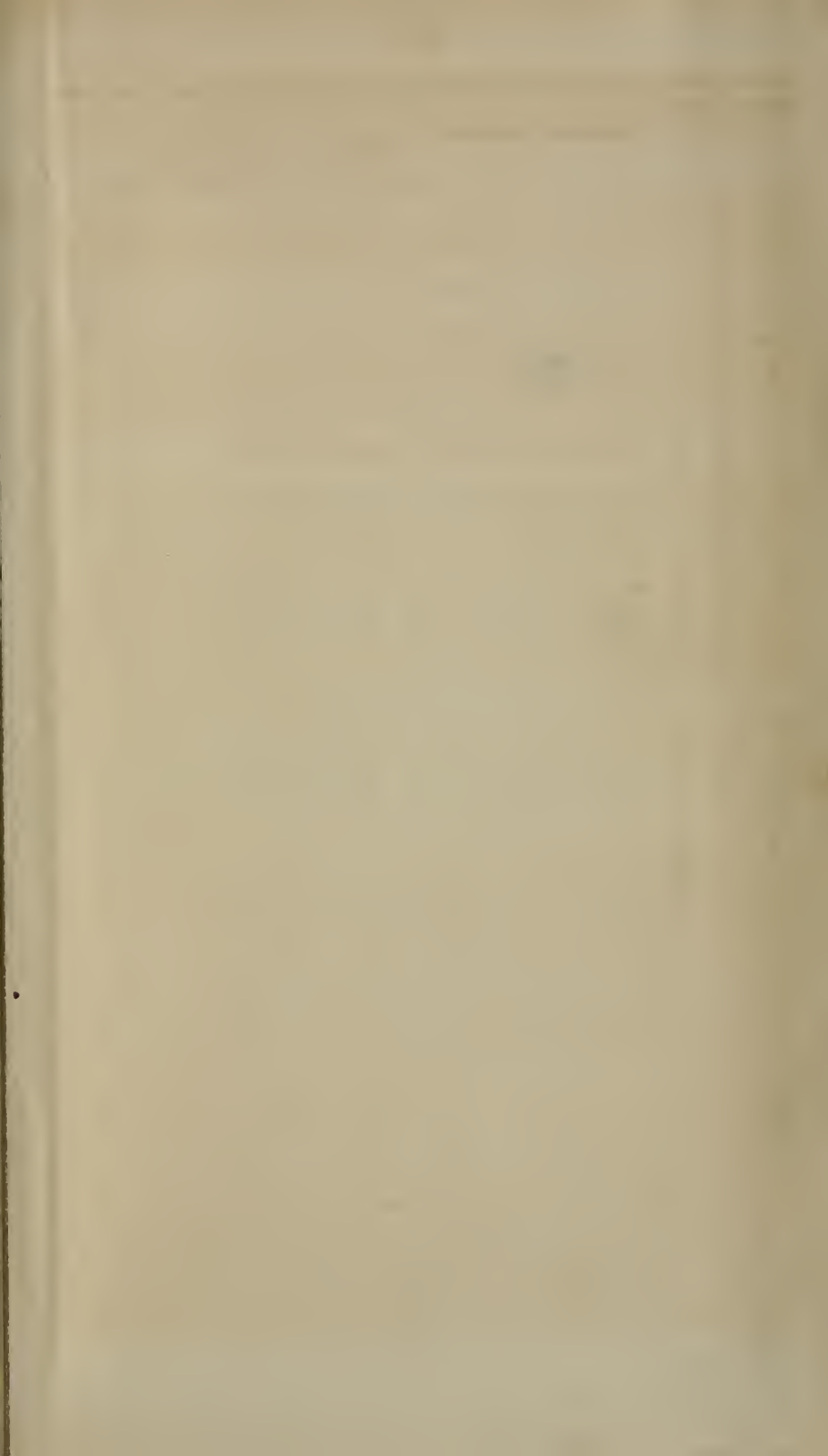
The business of the office requiring the constant services of at least one clerk,

I recommend the appropriation of \$1,200 for that purpose for the rest of the present fiscal year.

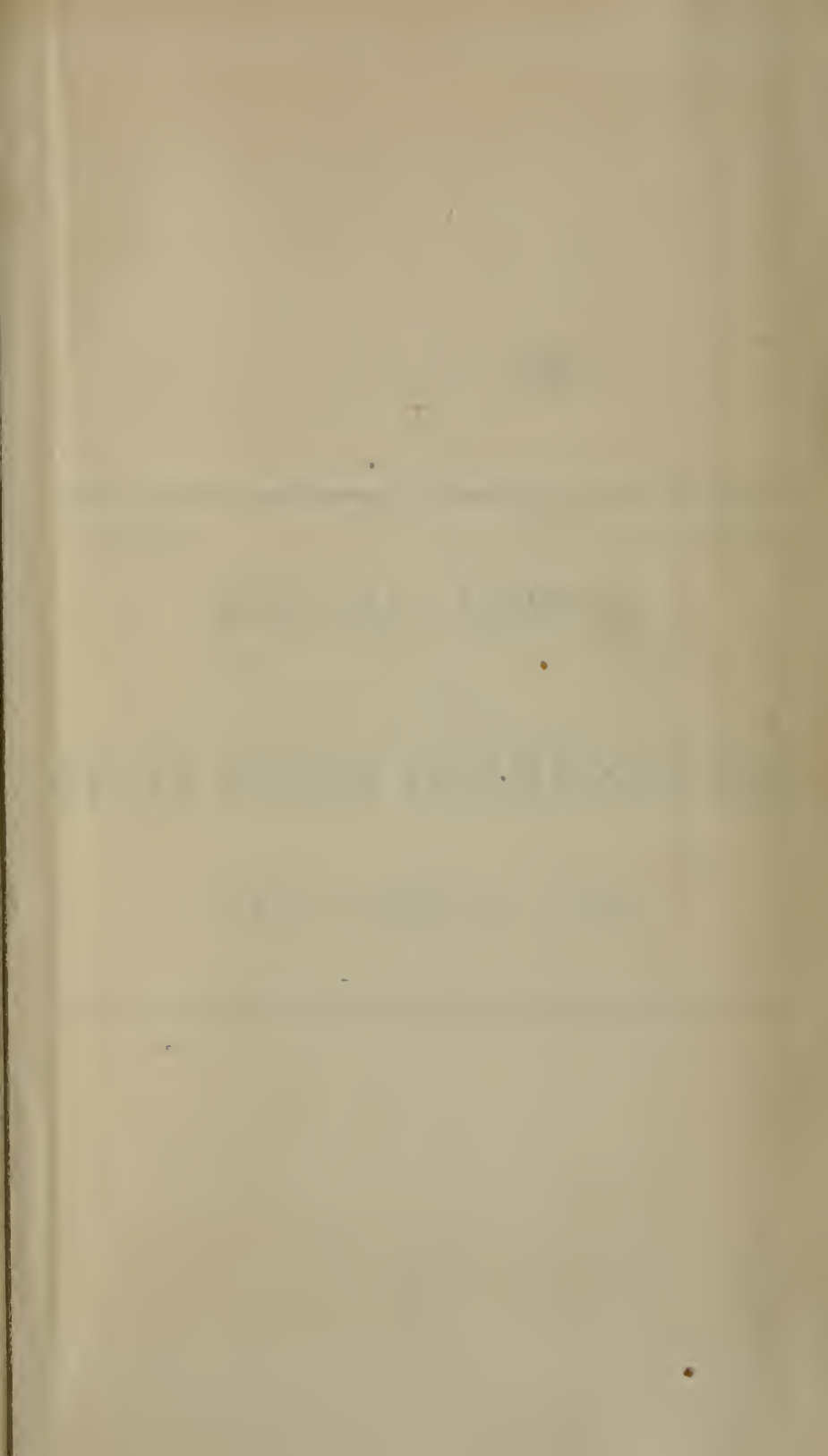
All of which is respectfully submitted.

JOHN A. BREWSTER.

Surveyor General.











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IN ASSEMBLY.]

[NINTH SESSION.

# ANNUAL REPORT

OF THE

# STATE PRISON COMMISSIONERS,

JANUARY 11, 1858.

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JOHN O'MEARA, STATE PRINTER.

## REPORT.

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STATE OF CALIFORNIA,  
Sacramento, Jan. 11th, 1858. }

*To the Honorable the Legislature of the State of California, now in session :*

The undersigned, constituting the board of state prison commissioners, have the honor to transmit you herewith a transcript of the record of our proceedings as a board, as also the correspondence of the board, and the reports received from the overseer of the prison.

As soon after the adjournment of the last Legislature as the business of the offices of Comptroller and Treasurer would permit, the board visited the state prison. We found things in a better condition than we had any reason to expect, judging from the various reports and rumors in circulation during the session. Still we found that prison room was greatly needed, as well as accommodations for females and sick convicts. The latter being deemed the more urgent, we determined immediately to order the erection of a suitable building for the purpose. The plans were prepared and the requisition for its erection made on the lessee. Instead of erecting the building ordered, the lessee made arrangements to use a portion of the building contained within the prison walls, for the purposes for which the new edifice was designed. These arrangements, being sufficient for the time, left the necessity for prison room the more urgent. The board, therefore, had the necessary plans and specifications prepared for the erection of a prison building, and made a requisition upon the lessee to build it. Instead of doing so, nothing whatever has been done towards its erection. The board found themselves, under the law creating the board, perfectly powerless. We might order the erection of a building, and prescribe rules for the government of the prison, but we had no means at our command to compel a compliance with the order or the rules. Indeed, it was impossible for us to know whether the rules were obeyed or not. To remedy this, as far as was in our power, we appointed a superintendent under the lessee, (Captain John C. Gordon,) overseer on the part of the state, prescribing his duties in the rules we established. He held this position for a time, but resigned. Since then we have had no one at the prison to represent the state. Provision should be made for a resident representative of the state, and to enable the board to compel a compliance with its requisitions and rules.

Rumors have reached us that the prisoners, at times, are neither well fed nor well clothed. We entertain no doubts but that the prisoners are

as well fed and clothed under the present lessee as they would be under any. The fault is in the system of leasing the convict labor, and to this same system is to be attributed the large number of escapes that occur. Under the present lease, the lessee claims the right to work the prisoners where and when he pleases, and almost all the escapes which occur are prisoners who are worked outside the line of the prison guards. To endeavor to guard against these escapes, one of the prison rules ordained by the present board was established. We lay before you, also, herewith, the reports from the architect employed by the board, a notice served upon the members of the board by Mr. John F. McCauley, a communication from a member of the police for the city of San Francisco, and a communication from Wm. Hicks Graham, former superintendent of the prison. The architect selected by the board was Mr. M. F. Butler. He was employed to draw and prepare plans for the contemplated buildings, and to superintend, as far as was necessary, or as directed by us, its erection. He was informed at the same time that he would have to look to the Legislature to fix his compensation and make an appropriation for its payment. We would state, however, that he has been paid the sum of two hundred dollars, (\$200,) out of an appropriation for the contingent expenses of the state prison commissioners. The action of the board in this instance appeared to be absolutely necessary, from the exigency of the case. We hope, therefore, that a suitable allowance will be made him for his services.

All of which is respectfully submitted.

R. M. ANDERSON,

President of the Board of Commissioners.

G. W. WHITMAN, Comptroller of State.

JAS. L. ENGLISH, Treasurer of State.

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IN ASSEMBLY.]

[NINTH SESSION.

R E P O R T

OF

THE JOINT COMMITTEE

ON

STATE PRISON AFFAIRS.

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JOHN O'MEARA, STATE PRINTER.



## REPORT.

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THE Joint Senate and Assembly Committee, who were directed by concurrent resolution to make a thorough and full investigation of, and careful examination into all matters and things touching, or in any manner relating to the state prison buildings, and the location thereof; the convicts *sentenced* to imprisonment therein; their food, clothing, discipline, and management generally; have completed the charge confided to them, and respectfully beg leave, as the result of their labors, to make the following

### REPORT :

Before proceeding to make personal examination of the prison, it was deemed advisable to examine the law creating a board of state prison commissioners, and defining their powers and duties, and then, from the records of their proceedings in the office of the Secretary of State, ascertain by whom the prison and prisoners were being kept, and under what regulation or agreement, if any such should be found of record.

In the act of March 21st, 1856, before referred to, it will be found that the Lieutenant Governor, Comptroller, and Treasurer of the State, were constituted a board of commissioners, whose duty it was made to lease the state prison grounds and property, together with the convict labor of this state, for a period of five years, at a stipulated price, not exceeding fifteen thousand dollars per month. Said act also provided that any contract made or entered into by said board of commissioners should provide for the erection of such buildings and the making of such improvements on the property owned or leased by the state, as would conduce to the safety and convenience of keeping, working, clothing, feeding, and providing medicine and medical attendance for the convicts of the state at the cost of the lessee; all of such work to be done at such time and place, and of such material as the board should order, and according to plans to be approved by said board of commissioners; and that the lessee should be individually responsible for all costs made in recapturing escaped convicts, as well as for the support, and maintenance, and medical attendance of the prisoners or convicts. Said board was also, by said act, directed to visit the prison and make all useful rules and regulations for the government and management of the prisoners, with full power to change, alter, or abolish such rules and regulations, when deemed expedient.

Under and by virtue of said act, Robert M. Anderson, Lieutenant-Governor

G. W. Whitman, Comptroller, and Henry Bates, Treasurer of the State of California, constituting said board of state prison commissioners, on the 26th day of March, A. D., 1856, leased to James M. Estell, all the land at Point San Quentin, in the county of Marin, known as the state prison property, with all and singular the prison, houses, shipping, vessels, boats, fixtures, implements, tools, furniture, stock, and other property belonging to the state, for the full term of five years; which contract will be found marked Exhibit No. 1, in the appendix to this report.

There was also a supplementary agreement made between the same parties, which will be found marked Exhibit No. 2.

The committee left Sacramento on the 18th day of January, for Point San Quentin, at which place they arrived on the 20th, and immediately proceeded with their investigations.

It is well known that the prison at Point San Quentin is not located upon any of the great natural thoroughfares of the state, thus rendering the cost and time of getting to and from the prison greater than otherwise would be necessary, without any corresponding advantage to be derived from its secluded position. Upon the prison grounds there is no running or living water, and the wells dug upon the premises are hardly sufficient to supply with water the wants of the prisoners during the dry season; neither is there any timber upon the prison property, more than here and there a few stunted, scrubby looking oaks, intrinsically worthless, and not remarkably ornamental. The clay, which was supposed to be abundant, is now considered nearly worked out; the stone upon the grounds is not of a quality or kind, or not of sufficient quantity to pay for working and sending to any point for use or profit; the soil is so sterile and barren that it is of no value whatever for agricultural purposes, and finally so rolling and mountainous that it became absolutely necessary to expend more money in leveling and preparing grounds upon which to erect the prison buildings, than thousands of acres would have cost the state more eligibly located, and upon which no such expense would have been necessary; for which reasons the location of the prison is not deemed as eligible as could have been desired and ought to have been obtained.

The prison buildings are enclosed by a wall some twenty feet in height, and of sufficient width, apparently, to give the strength required, so as to answer the purposes for which it was intended. The east wall being in length five hundred feet, the west wall five hundred feet, the south wall six hundred feet, and the north wall five hundred and twenty-four feet, with an entrance from the east and west into the enclosed yard or grounds, about midway of said east and west walls. The entrance on the west has a good, substantial, iron door or gate, while the one on the east, which is the main entrance, has but little more than a common wooden door, and could not be considered a serious obstacle in the way of prisoners wishing to make their escape.

The prison building is situate within the yard, and is at the left of the east entrance, and in size one hundred and eighty feet in length east and west, twenty-four feet in width north and south, and in height two stories;—the upper or second being divided into forty-eight cells, six by ten and a-half feet each, opening to the outside of the building, there being a kind of balcony or corridor around the second story, unto which you ascend by a flight of stairs at the east end of the building. Twenty-eight feet of the east end of the lower story is separated from the remainder by a partition, and used as a hospital; the remaining one hundred and forty-six feet is in one room, and designated as the long-room. About half way between the east and west walls of the prison-yard is a building one story in height, some two hundred feet in length north and south, by thirty-four feet in width; nineteen feet of the north part being used for a tailor shop, adjoining which is forty-one feet used as a kitchen; seventeen feet of the south part is di-

vided into two rooms, and is occupied by the female prisoners, adjoining which is a division of thirty-four feet, and named the *county jail*.

The remaining one hundred and thirty-four feet is used as a dining-room. Immediately adjoining and to the west of the above described building is a building one story in height, some four hundred feet in length, by thirty feet in width, sub-divided into six divisions, used for different mechanical purposes.

Outside of the prison walls, but immediately adjoining the east entrance, are some new brick buildings, (not understood to be upon property belonging to the state, and known as personal property,) which very much add to the comfort of the lessee and those employed by him, which buildings were not built by or under the direction of the state prison commissioners, but that the lessee took down other buildings belonging to the state, and now uses the new ones in their stead. After which examination of the prison grounds, wall, and buildings, we requested Mr. John F. McCauley, who claimed to represent the lessee, to cause all the prisoners to be assembled in the dining-room, and the roll called, each prisoner, as his name should be called, to pass out of the room, which request was promptly, and apparently cheerfully complied with.

The roll being called, five hundred and six (506) answered to their names as called, leaving, according to the prison books, ten (10) not accounted for, of which number not answering to their names, and not being at the prison, the committee ascertained that the following, viz.: Evans, *alias* Texas Jack, Jackway, and Butts lived at some place on a ranch; Morton, at Mr. Simmes, at San Rafael; Gilman, at Stocker's ranch, and an Indian girl with Mrs. McCauley, at San Francisco—all outside the prison precincts. A convict named Riley died January 19, 1858, whose name still remained on the books, and should be deducted from the ten not answering to their names at the roll-call, which would leave three not accounted for;—the books requiring in all the full number of five hundred and fifteen (515) under sentence and confined at the prison, while only five hundred and six answered at the prison, six being at different places outside the prison precincts, and three missing and unaccounted for entirely.

The whole number of convicts that have been received at the prison since its establishment amounts to twelve hundred and ninety seven. For a tabular statement of the respective numbers discharged, escaped, pardoned, died, killed, etc., see Exhibit No. 3.

The crimes for which they were sentenced, see Exhibit No. 4. The number of convicts who have escaped from the state prison since the first day of April, 1856, is ninety-four—see Exhibit No. 5. The whole number now in prison being five hundred and twelve, for the ages, places of nativity, etc., see Exhibits Nos. 6 and 7, of which number twenty-four (24) are employed as trusties. For names and occupation of same, see Exhibit No. 8. For the manner and treatment of prisoners called trusties, as well as for the management of the prison and prisoners generally, the method and time of working, occupation, guards, observance or non-observance of rules, etc., see the deposition of J. C. Gordon, superintendent of the prison, herewith submitted, and marked Exhibit No. 9.

For direction by the board of commissioners to the lessee in relation to the building of new prison buildings, the necessity for the same, and all steps taken in relation *thereto*, see the deposition of Mr. M. F. Butler, architect, herewith appended as Exhibit No. 10; and for further information upon this subject, if desired, as well as upon other matters connected with the prisoners, prison buildings, rules and directions for the government thereof, reference is most respectfully made to the report of the state prison commissioners for the year ending December 31, 1857.

In addition to the testimony of witnesses, as above referred to, the committee would state, that from personal observation and examination, they found, on the 19th January, the evening of their arrival at the prison, some one hundred and



twenty prisoners entirely barefoot, and quite a number with nothing more than old gunny-bag sacks, or pieces of blankets, tied around their feet, *none* having anything in the shape of socks furnished them by the lessee. It is due, however, to the lessee, or Mr. McCauley, who claims to represent him, that on the NEXT day, quite a number of the barefoot party of the day before, came out with *new shoes*, Mr. McCauley stating that many of the prisoners had concealed or hid away their shoes, so as to look as badly as possible; but the committee, although visiting every apartment within the walls of the prison, failed to discover the secret place where were concealed the missing shoes of the shoeless prisoners, although the committee do not undertake to state positively that such secret place *may not* be in existence, and hereafter discovered by the closer scrutiny of more interested parties. The general clothing of the prisoners seems too scant for winter weather, the most of which clothing, or a great proportion thereof, appears to be the last remains of what was worn there by them, now in such a tattered, torn, forbidding, and filthy condition, that the commonest street beggars, sleeping by the wayside and begging their daily bread, would, by comparison, have the appearance of newly Parisian clad gentlemen.

The bedding (if bedding it can be called) of the prisoners, especially of those confined in cells, seemed to be insufficient to protect them from absolute suffering from cold. The cells being six feet by ten, with something like two shelves on each side, about two feet each in width, upon which is a kind of straw mattress and one coarse, shaggy double blanket, which is all that is found when the complement of bedding is full, but at present many of the blankets are torn and partially gone, so that to prevent absolute suffering from cold they are compelled to sleep with their day clothing on, shoes and all, (if they chance to have them,) and being without a sufficient quantity of bedding and clothing to admit of a change, the whole has become a mass of dirty, filthy rags, the *lice* being so plentiful as to be easily seen crawling about the so-called beds and bedding, these being the only kind of places where the convicts of the state, for crimes induced to be committed probably not from naturally bad instincts but from example in early life, from want of education, from intemperance and want, are sentenced and compelled, by bolted doors and ironed limbs, to undergo suffering in comparison with which *death*, with all its terrors, would be a seeming pleasurable relief. But this is by no means the worst feature of the prison. In the "long room," so-called, which is in size twenty-four by one hundred and forty-six feet, are turned loose, like so many brute animals in a corral, to stay and sleep, the young, middle-aged and old, (the boy of fifteen, perhaps for his first offence, with upwards of three hundred convicts, among whom are necessarily many of the vilest of the vile,) thus rendering reform and reformation seemingly impossible. The bedding in this room is of the same kind and class as before described, except in a worse condition, being alike infested with the same kind of animals, only perhaps a little more so. The manner of stowing away such a number in so small a space is accomplished by placing a row of standee bunks close to each other on each side of the room, with their heads to the wall, leaving an open space through the middle of the room, the bunks being one above another, and into which the prisoners crawl from the end, the open space being so small that before any take their bunks it is with a good deal of difficulty you can make your way through the crowd; and the stench issuing from the room when opened in the morning will have to be imagined, as a description in words is impossible. The three females occupy their room, as before mentioned. The remainder of the prisoners sleep in the rooms named the "county jail" and "hospital," with the exception of those who are allowed to live outside the prison wall. From what the committee saw of the food furnished the prisoners, they did not consider it the most objectional feature of the prison. Without stopping at this time to discuss the propriety of working the prisoners outside the prison walls, sending them to San

Francisco in boats with and without guards, or the effect upon prison discipline in consequence of the favorite or so-called "trusty" system, the committee were naturally led in view of the whole matter to the following conclusions :

*First*—The law of 1856, before referred to, creating a board of state prison commissioners, directed the said board to lease the state prison grounds and property, together with the convict labor, for a period of five years, giving said commissioners no discretionary powers as to time whatever, but imperatively directing them to make the time the lease should run five years, no more or less. Under and solely by the authority given the commissioners in said act, they proceeded under its directions, and being governed by its direct provisions, they leased to James M. Estell the property and labor by said law directed, in which lease (the state of California being party of the first part and James M. Estell party of the second part) will be found these words, fixing the duration of the lease: "To have and to hold the premises and property above described and mentioned, and labor of said state prison convicts, unto the said party of the second part and to his heirs and assigns, from the date of these presents for and during and until the full term of five years thence next ensuing, and to be fully completed and ended," which lease bears date the 26th day of March, 1856, and contains among other matters the following stipulation: "It is further agreed and stipulated by the said party of the first part to and with the said party of the second part, that on the last day of each and every calendar month during the continuance of the said term of five years mentioned as aforesaid, that the state of California will pay to the said party of the second part the just and full sum of ten thousand dollars, to be paid in conformity with the law creating the board of commissioners and defining their powers and duties."

From which, without stopping to elaborate the position, it seems clear that said lease must, by any fair method of construction, be considered as an entirety. In other words, an agreement on the part of the state to pay six hundred thousand dollars, in monthly instalments, which conclusion, if correct, would, under the eighth section of the constitution, as construed by the decisions of the Supreme Court of this state, not leave the lease of the state to Estell voidable only, but absolutely *null and void*.

But if the position as to the entirety of the contract is disputed, then we have but to consider that the state, on the day of the date of the contract, was indebted in not only the sum of three hundred thousand dollars, the constitutional limit, but nearly or quite three millions of dollars, with no money in the treasury, so that any contract, order or draft, warrant, or appropriation on the state, for the payment of any sum whatsoever, would be as absolutely *void* as though it were for a greater sum than three hundred thousand dollars, the limit fixed by the organic law of the state, and beyond which, in that regard, the acts of the Legislature are nullities. But without pursuing the consideration of the legality of the contract further, let us examine briefly some of its provisions and obligations, compare them with the facts of the case, and see to what extent the same have been complied with, or broken, as the case may be.

*First*—The lessee covenanted that he would "safely keep the said convicts, as required by law, in said prison or prisons;" to keep which covenant he has utterly neglected and failed to do, but has kept and guarded the prison and prisoners in such a loose, careless manner, that *ninety-four* have escaped by some manner of means since the date of the lease, and are now at large. See Exhibit No. 5.

*Second*—The lessee agreed and covenanted further, that he would keep the prisoners, as required by law, in said "prison or prisons," which covenant is being broken every day and minute, by farming out the convict labor on ranches, and keeping them as servants, etc. See Exhibit No. 9.

*Third*—The lessee covenanted that, under the direction of the state prison commissioners, he would provide proper guards and overseers for said prison, at

his own proper cost and expense, which covenant is being broken every day. See deposition of J. C. Gordon. See Exhibit No. 9.

*Fourth*—By the terms of said lease, the lessee agreed to furnish the convicts with suitable, proper, and wholesome food, which the convicts unanimously complain has not been done; some of the guards also stating that they have seen prisoners in the summer, coming from work, so faint, apparently for the want of food, as to be hardly able to walk. And the committee are of opinion, that the quantity is not sufficient for laboring men who are called up at daylight, and work until nine o'clock before breakfast; from then until four in the afternoon, for dinner, leaving sixteen hours from dinner to breakfast—two meals a day being all they are allowed.

*Fifth*—The said lessee agreed and covenanted that he would furnish suitable and proper clothing for the prisoners. The manner of keeping this covenant has been noticed before, rendering it only necessary to remark here, that it has not been broken once only, but hundreds of times, to each and every prisoner at Point San Quentin, or that has been there since the date of the lease by the state to the lessee as aforesaid.

*Sixth*—The said lessee agreed to “furnish suitable and proper medical attendance for the convicts,” which covenant is entirely disregarded, no physician or surgeon residing at the prison or attending the prisoners. See deposition of J. C. Gordon, Exhibit No. 9, one prisoner Riley having died the day of the arrival of the committee at the prison without medical attendance.

*Seventh*—The said lessee covenanted and agreed that he “would treat the convicts humanely and with all due degree of kindness consistent with their security and safety,” but the committee are of opinion that the lowest, commonest and coldest possible acts or offerings of humanity and kindness would reach away and far beyond anything that has been discovered by nine-tenths of the convicts at the prison indicating even the possibility of an act towards them worthy to be named one of humanity or kindness.

*Eighth*—The said party of the second part, the lessee aforesaid, further agreed by the terms of the said lease, that he would at his own cost and expense establish and erect such buildings, prisons, and walls, and make such other improvements on the prison premises or any other which might be purchased or acquired by authority of the state, etc., with the terms of which covenant he has wholly and absolutely refused to comply. See deposition of M. F. Butler, marked Exhibit No. 10, and also the report of the board of state prison commissioners for the year ending December 31, 1857.

*Ninth*—The said lessee covenanted and agreed to use due diligence for the recovery of all or any of the convicts that might escape from prison. To comply with which provisions of said lease he has totally neglected and entirely failed, and still neglects and refuses to comply therewith, as ninety-four prisoners have escaped and are now at large, one having left from the boat for parts unknown while the committee were at the prison, without any action (known to the committee) being taken for his or their recovery. In fact, Mr. McCauley, who claimed to represent the lessee, said he would not pay any more rewards for the recapture or return of escaped prisoners, as the lessee solemnly covenanted by the terms of said lease to do.

*Tenth*—The said lessee further agreed that he would govern and conduct the police regulations of the prison and prisoners, as directed by the board of commissioners in accordance with an act creating said board of commissioners, passed March 21, 1856. That said board adopted a system of rules in accordance with the provisions of said law, and delivered the same to said lessee with directions to govern and manage the prison and prisoners in accordance therewith, to comply with which rules the said lessee has neglected, failed and entirely refused, and



still does neglect and refuse. See deposition of J. C. Gordon, marked Exhibit No. 9, and also report of commissioners before referred to.

There are other and numerous breaches of the contract between the state and J. M. Estell, but the committee do not deem it necessary to particularize further, believing that the Legislature, and even the lessee himself, will not hold for a moment that there now exists any contract or agreement between the state and J. M. Estell, obligatory or in any manner binding or valid as against the state of California. Viewing the matter in this light, it does not become necessary to speak of the treatment of prisoners further—of their being compelled, as is customary, to work on the Sabbath, etc., as those are matters to be provided for by subsequent Legislatures. Therefore, the committee would most respectfully recommend that the Governor be authorized to appoint some suitable person as warden or state agent, (and would suggest J. C. Gordon,) to proceed immediately to the penitentiary, and take charge of the prison and prisoners temporarily and until provision shall be made for their permanent care and management, and that a sum not exceeding ten thousand dollars be appropriated to defray such temporary expenses.

Your committee would further recommend, that in case an eligible location can be found for a state prison, with a considerable quantity of land, with an abundance of granite or other material, on which the labor of the prisoners could be used profitably for a number of years, that one-third (more or less) of the prisoners now at Point San Quentin, be taken from those imprisoned for the lowest grade of offences, and having the shortest terms to serve, and removed to such place as early as practicable, and employed in building state prison buildings and walls, with a view of ultimately removing the prison entirely to such new location.

Your committee would further recommend, for the management of the prison and prisoners at Point San Quentin, that the state reserve to herself, *always*, the entire police management of the prisoners and prison, as well as of their feeding and clothing, and that nothing more than the labor of the convicts be hired to second parties. But if, upon this point, the Legislature should decide differently, and finally determine to lease or let the prisoners and prison to some party or parties, with the agreement that such lessee or lessees should feed and clothe, as well as guard and take care of the prison and prisoners generally, then your committee would recommend that the entire police regulation be reserved to the state, and the kind, quantity, and quality of food and clothing to be furnished by said lessee or lessees, be itemized and furnished according to such specification; and that in case there should be a failure to furnish any of the items of food or clothing, the warden or agent for the state should be authorized to provide the same, the value of which should be deducted from any sum the state may agree to pay said lessee or lessees for keeping, guarding, clothing, and conducting the entire management of the prisoners and state prison.

Your committee would also recommend that some state prison uniform be adopted for the prisoners, so they may be easily distinguished by their dress and known as state prisoners.

Your committee would also recommend that a small sum of money be furnished to each convict on his discharge from prison, as it will always cost a small sum to reach any point from the prison at which employment can be obtained. The reason of this seems obvious.

Your committee would also recommend to the clemency of the Governor, *all the females now* in the state prison, there being but four, none of whom have to exceed about one year to serve; believing that no evil would result from their discharge, is all the reason offered for the recommendation. There are also a number of young lads in prison, entitled from their age to some consideration in this regard.

Your committee would also recommend, that the law in relation to crimes and

punishments be so amended, that all offenders be punished in the counties where convicted, unless for offences requiring two years in the state prison—believing that under the direction of the board of supervisors, they may be worked on the public roads and streets in their respective counties, at a less expense than is now incurred in sending them to the penitentiary; which change would also have a tendency to check the further increase of numbers at the state prison.

In conclusion, your committee would remark, that, as imprisonment in the penitentiary was designed as a substitute for the whipping-post, pillory, and all the inhuman punishments, care should be taken that the design of such punishment be not forgotten; that the proper relation of the state to the convict be maintained; that, though, by her laws he is deemed a felon, yet, considered as a human being, with hopes and fears, heart and mind, love and affection, which ought to be impressed for good by his discipline, servitude, and confinement. Though it is with sorrow, we are compelled to state, that, notwithstanding there has been about one and a half millions of dollars spent for state prison purposes in this state, that she is now without sufficient and proper prison buildings, without prison discipline, rules, or order, there being no library or books of any kind at the prison, while a large number of the prisoners are denied even the Christian Sabbath as a day of rest from their toil and servitude.

All of which your committee respectfully recommend to the enlightened views and careful consideration of the Legislature, for such action as they may deem just and proper.

Joint Committee.	{ J. O. GOODWIN, Chairman.	
	{ E. J. BURTON,	
	{ WM. T. LEWIS.	
	{ E. J. LEWIS,	
	{ URIAH EDWARDS,	
	{ A. J. GRAHAM,	
	{ Of Senate.	
	{ Of Assembly.	

# APPENDIX.



## APPENDIX.

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### EXHIBIT No. 1.

This indenture, made and entered into this twenty-sixth day of March, A. D., one thousand, eight hundred and fifty-six, between the State of California, by Robert M. Anderson, Lieutenant-Governor, G. W. Whitman, Comptroller of the State of California, and Henry Bates, Treasurer of the State of California, constituting the Board of State Prison Commissioners, created by act of the Legislature of said State of California, entitled an act creating a board of state prison commissioners, and defining their duties, approved the twenty-first day of March, A. D., 1856, party of the first part, and James M. Estell, party of the second part, witnesseth:

That the said party of the first part, for and in consideration of the covenants and agreements hereinafter mentioned, reserved, and contained, on the part and on behalf of the said party of the second part, to be done, kept, and performed, hath granted, bargained, demised, and to farm-letten, to the said party of the second part, his heirs and assigns: all that certain tract or parcel of land situate on Point San Quentin, in the county of Marin, and state aforesaid, and known as the State Prison Property, consisting of thirty-six acres of land, more or less, together with all and singular, the prison and houses, and all improvements and houses thereon situate; also, all the shipping, vessels, boats, fixtures, implements, tools, furniture, stock, and other property belonging to the state of California, now on, attached to, or connected with, said state prison, together with the labor of all the convicts now in said state prison, or who may hereafter be confined therein during the continuance of this lease; together with any and all real estate, or other property that may hereafter be purchased or acquired by the state of California for state prison purposes, or in any manner connected with the same; to have and to hold the premises and property above described and mentioned, and the labor of said state prison convicts, unto the said party of the second part, and to his heirs and assigns, from the date of these presents, for and during, and until the end of the full term of five years, thence next ensuing, and to be fully completed and ended.

And it is further agreed and stipulated by the said party of the first part, to and with the said party of the second part, that on the last day of each and every calendar month during the continuance of the said term of five years mentioned as aforesaid, that the state of California will pay to the said party of the second part the just and full sum of ten thousand dollars, to be paid in conformity with the law creating said board of commissioners, and defining their powers and duties, and with the limitations hereinafter stipulated.



And the said James M. Estell, party of the second part, covenants and agrees, to and with the state of California, party of the first part, that, for and in consideration of the use and occupation of the premises, property, and the labor of the state prison convicts above mentioned, and the said several sums of money to be paid to the said party of the second part by the said party of the first part, as above mentioned, that he, the said party of the second part, will receive and take charge of all convicts now confined in said state prison, or any other state prison which may be established by authority of law, or who may hereafter be convicted and sentenced, or commuted to imprisonment in the state prison or state prisons now established, or which may be, in the state of California, during the said term of five years above mentioned; and that he, the said party of the second part, will safely keep the said convicts, as required by law, in said prison or prisons, for and during said term of five years, at his own proper cost and expense; will provide, under the direction of the state prison commissioners, the necessary and proper overseers, guards, and employees for said prison or prisons; and to furnish to said state prison convicts suitable, proper, and wholesome food, drink, clothing, and medical attendance; and to treat such convicts humanely, and with all due degree of kindness consistent with their security and safety.

And the said party of the second part further covenants and agrees that he will, at his own proper cost and expense, establish and erect such buildings, prisons, and walls, and make such other improvements on the premises above mentioned and described, or which may be purchased or acquired for such state prison uses and purposes by authority of the state, as will conduce to the safety and convenience of properly keeping, securing, working, clothing, feeding, and providing medicines and medical attendance for the state convicts, and treating and using them humanely, and without subjecting the state in any way or manner to any payment, charge, expense or demand for the same, except the salaries of the state prison directors now in office; but the said party of the second part agrees to furnish the directors, when necessarily residing at the prison, with fuel and provisions out of the stock supplied for the general use of the prison. The work and buildings, as before described and referred to, is to be done in accordance with a plan, or plans, and specifications, which shall be approved by the board of commissioners, and at such times, at such place or places, and of such materials as they may order; and the said party of the second part covenants and agrees, to and with the said party of the first part, acting on behalf of the state, that he will use due diligence for the capture and recovery of all or any convicts that may escape from said state prison or prisons, and that he will pay such reasonable rewards for their apprehension and return during the continuance of this lease; said rewards to be assessed by the board of state prison commissioners.

And the said party of the second part agrees to release, and does hereby release to the state of California, all claims, whether legal or equitable, which he has against the state of California, arising out of his former connection with the state aforesaid, as the lessee of the state prison and convict labor, or for property or materials sold to or used by state officers or employees of said prison for the use of the state.

Also, a claim for forty-eight thousand eight hundred dollars, more or less, for property purchased by the state prison directors, or other state officers, from Archibald Woods, Esq., and to hold the state of California harmless from such claim, or any part thereof. Also, a claim for two million two hundred thousand bricks, more or less, purchased by the state prison directors and used in the construction of the state prison walls.

And it is further covenanted, stipulated, and agreed, by and between the said parties of the first and second parts, during the continuance of the term of this lease, that the said prison shall be governed, controlled, and managed in accord-



ance with the provisions of an act entitled "an act creating a board of state prison commissioners, and defining their duties," approved March twenty-first, A. D. 1856.

And it is further covenanted and agreed by the party of the second part, that at the expiration of the five years, he will quit and surrender the premises and property aforementioned, and all walls, prison or prison buildings, and permanent fixtures of any and every kind which he may erect on property now owned or occupied by the state, or which may be purchased or acquired by the state, for state prison purposes to the party of the first part, or to such parties as the state may by law authorize to receive the same, in as good condition and state as reasonable use and wear thereof will permit, damages by the elements excepted, the property now owned by the state, as described by schedule A.

It is also stipulated and agreed by and between the parties hereto, that simultaneous with the execution of this contract and prior to the same taking effect, the said party of the second part shall enter into a bond, payable to the people of the state of California, in the penal sum of two hundred thousand dollars, with responsible sureties, to be approved by said board of commissioners conditioned for the faithful performance of the duties and obligations imposed by the conditions of this contract and the law authorizing the same, and new or additional bonds may be required by said board of commissioners, if from any reason they shall deem the bond or bonds insufficient.

In witness whereof Robert M. Anderson, Lieutenant Governor of the state of California, George W. Whitman, Comptroller of the state of California, and Henry Bates, Treasurer of the state of California, constituting the board of state prison commissioners, and the said James M. Estell, party of the second part, have hereunto set their hands and seals, the day and year first above written.

[SEAL.]

[SEAL.]

[SEAL.]

R. M. ANDERSON,

G. W. WHITMAN,

HENRY BATES.

Board of State Prison Commissioners.

J. M. ESTELL.

[SEAL.]

Witness: R. A. FISH.

A true copy:

WILLIAM WILLIS,

Clerk of Board of State Prison Commissioners.

## EXHIBIT NO. 2.

## SUPPLEMENTARY AGREEMENT.

Memorandum of an agreement made and entered into between R. M. Anderson, Lieutenant Governor of the state of California, G. W. Whitman, Comptroller of the state of California, and Henry Bates, Treasurer of the state of California, composing a board of commissioners, created by an act of the Legislature of California, creating a board of state prison commissioners and defining their duties, approved March 21st, 1856, party of the first part, and James M. Estell, of the county of San Francisco, state of California, party of the second part, witnesseth: that whereas, the said party of the first part, did, on the 26th day of March, A. D., 1856, lease to the said party of the second part, the state prison grounds, at Point San Quentin, in the county of Marin and state of California, together with all the property attached thereto, and the labor of the state prison convicts for the term of five years from the 26th day of March, 1856;

Now, therefore, in explanation of said contract, and to confirm to the said party of the second part the full benefit of the same, it is hereby agreed by the said party of the first part that the said party of the second part shall have the privilege, and be at full liberty to work said state prison convicts at any and all mechanical branches of business that he may choose, provided that the said convicts shall not be employed at any kind or description of labor that shall greatly endanger their lives, health, limbs, or safe-keeping. It is further agreed and understood between the said party of the first part, and the said party of the second part, that nothing herein contained shall effect, in any manner, the sureties of the said party of the second part, on the bond given by him at the time of executing the contract referred to herein.

In witness whereof the said R. M. Anderson, G. W. Whitman, and Henry Bates, constituting the board of state prison commissioners, party of the first part, and James M. Estell, party of the second part, have hereunto set their hands and seals, this third day of April, A. D., one thousand eight hundred and fifty-six.

[SEAL.]

[SEAL.]

[SEAL.]

R. M. ANDERSON,

G. W. WHITMAN,

HENRY BATES,

Board of Commissioners.

[SEAL.]

JAMES M. ESTELL.

A true copy:

[SEAL.]

WILLIAM WILLIS,

Clerk of Board of State Prison Commissioners.

## EXHIBIT No. 3.

*Total number of Convicts received at the State Prison, San Quentin, and disposition made of same from the first day of January 1851, to January 20th, 1858 :*

Whole number of prisoners, . . . . .		1321
From same deduct twenty-four, who have been entered on the register of convicts twice, . . . . .		24
Actual number received, . . . . .		1297
Discharged of the above, . . . . .	471	
Escaped of the above, . . . . .	173	
Pardoned of the above, . . . . .	102	
Died, 18; killed, 9, . . . . .	27	
Taken out by habeas corpus, . . . . .	8	
Counted in prison, January 20th, . . . . .	506	
		1287
Number not accounted for, . . . . .		10
Of the above number, the committee ascertained that the following live outside of the prison precincts :		
Evans, alias Texas Jack, lives at the ranch, . . . . .	1	
Jackway, lives at the ranch, . . . . .	1	
Gillman, lives at Stocker's ranch, . . . . .	1	
Morton, lives at Mr. Simmes, San Rafael, . . . . .	1	
Butts, lives at the ranch, . . . . .	1	
Walla, an Indian girl, with Mrs. McCauley, San Francisco, . . . . .	1	
Riley, a convict, died January 19th, not counted, . . . . .	1	
		7
Actual number not accounted for, . . . . .		3

## EXHIBIT No. 4.

*Crimes for which persons have been sentenced to the State Prison, San Quentin, from January 1st, 1851, to January 20th, 1858:*

FOR WHAT CRIME.	NUMBER.
Grand larceny, . . . . .	721
Assault, with intent to kill, . . . . .	106
Receiving stolen goods, . . . . .	18
Assisting to escape, . . . . .	11
Breaking jail, . . . . .	1
Attempt to commit rape, . . . . .	25
Rape, . . . . .	5
Robbery, . . . . .	32
Kidnapping, . . . . .	2
Sodomy, . . . . .	3
Arson, . . . . .	7
Perjury, . . . . .	7
Manslaughter, . . . . .	86
Burglary, . . . . .	90
Highway robbery, . . . . .	20
Murder, . . . . .	25
Assault and battery, . . . . .	29
Mayhem, . . . . .	6
Forgery, . . . . .	13
Passing counterfeit money, . . . . .	10
Assault, . . . . .	65
Embezzlement, . . . . .	12
Embezzlement U. S. mint, . . . . .	1
Violating gambling law, . . . . .	2
Whole number, . . . . .	1297

## EXHIBIT No 5.

*Number of Convicts, under sentence, who have escaped from the State Prison at San Quentin, from April 1, 1856, to January 20, 1858, and are still at large :*

Date of Commitment.	Names.	County sent from.	Term of Service.	Date of Escape.
1854.				
June 5.....	Francisco Abarra.....	Siskiyou .....	3 years.....	Oct. 8, 1856
June 13.....	John A. Marshall .....	Yuba .....	4 years.....	Sept. 30, 1857
July 26.....	Jesse Bell.....	San Francisco.....	4 years.....	Dec. 24, 1857
August 11.....	Sacramento Velanzuello.....	Contra Costa .....	3½ years.....	July 30, 1857
September 2.....	Martel Gilliard .....	San Francisco.....	2 years.....	Nov.* 1856
September 24.....	John Dean.....	Siskiyou .....	2 years.....	March 7, 1856
October 17 .....	Thomas Thornaspin.....	Tuolumne .....	2 years.....	Dec. 24, 1857
October 29 .....	Me Sing .....	Placer .....	2 years.....	March 7, 1856
October 29 .....	George Taylor.....	San Francisco.....	3 years.....	April 23, 1857
December 14.....	Santiago Mienos.....	Amador.....	3 years.....	July 30, 1857
December 16.....	Francisco Morales.....	Tuolumne.....	3 years.....	Sept. 30, 1857
December 30.....	H. B. Hustes.....	Sutter .....	3 years.....	June 11, 1857
1855.				
February 18.....	Robert Patterson.....	El Dorado .....	2 years.....	Aug. 24, 1856
February 18.....	W. S. Warrell .....	El Dorado .....	2 years.....	Nov. 22, 1856
February 23.....	Thomas Hughs.....	Sacramento .....	3 years.....	July 30, 1856
February 23.....	Thomas Thompson.....	Sacramento .....	3 years.....	Dec. 6, 1857
February 22.....	R. S. Abernathy.....	Sacramento .....	2 years.....	Dec. 23, 1856
March 7.....	Joseph Thompson.....	Tuolumne.....	3 years.....	Dec. 18, 1857
February 23.....	Juan Castillo.....	Calaveras .....	3 years.....	Nov. 14, 1857
March 11.....	Michael Geigan.....	Siskiyou .....	2 years.....	Oct. 18, 1856
April 17.....	Hiram Welch.....	Napa .....	2 years.....	Nov. 22, 1856
April 27.....	Juan Flores.....	Los Angeles.....	2 years.....	Oct. 8, 1856
May 19.....	Martin Johnson.....	Napa .....	3 years.....	Nov. 18, 1857
May 19.....	John Day.....	Sacramento .....	2 years.....	July 30, 1857
May 22.....	Jose Blas Sameramo.....	Calaveras .....	2 years.....	Oct. 8, 1856
June 19.....	James Weal.....	San Joaquin.....	10 years.....	* 1856
June 20.....	Thomas O'Brien.....	Sacramento .....	2 years.....	Oct. 16, 1856
June 30.....	William Smith.....	Sacramento .....	3 years.....	Nov. 3, 1856
July 29 .....	Tah You.....	Calaveras .....	2 years.....	Nov. 20, 1856
August 17.....	Francisco Neresa.....	Yuba .....	8 years.....	June 29, 1857
August 18.....	Cyrus W. Doubler.....	El Dorado.....	3 years.....	Dec. 6, 1856
August 25.....	C. G. Smith.....	Sacramento .....	2 years.....	Aug. 24, 1856
August 31.....	Marc Achon.....	El Dorado .....	2 years.....	Nov. 26, 1856
September 25.....	Jesus Frontz.....	Shasta .....	2 years.....	Oct. 3, 1857
September 25.....	Wm. Freeman.....	Calaveras .....	1 year.....	June 29, 1856
September 30.....	Ah Munn.....	Sacramento .....	3 years.....	October. 1857
October 14.....	Theodore Haddlestone.....	Siskiyou .....	2 years.....	May 30, 1856
October 14.....	Wm. Miller.....	Sacramento .....	20 years.....	Aug. 25, 1856
November 28 .....	Fred. Spiegler.....	Placer .....	1 year.....	Sept. 2, 1856
December 11.....	Ben. Doyle.....	Calaveras .....	1 year.....	Jan. 25, 1857
December 11.....	Pierre Leon Escaraiche.....	Calaveras .....	1 year.....	July 31, 1856
December 13.....	W. G. Holston.....	Tuolumne.....	2 years.....	Nov. 22, 1856
December 18.....	Ah Gue.....	Trinity .....	1 year.....	June 26, 1856
1856.				
February 6.....	John Gordon.....	San Francisco.....	1 year.....	Nov. 7, 1856
February 9.....	Louis Specker.....	Contra Costa.....	1 year.....	Jan. 16, 1857
February 9.....	Thomas Moore.....	Contra Costa.....	1 year.....	June 6, 1856
February 20.....	Thomas Lynch.....	Yuba .....	3 years.....	June 27, 1857
February 20.....	Pentarke Burganti.....	Yuba .....	14 years.....	June 27, 1857
February 29.....	Andrew Curry.....	Amador.....	7 years.....	Aug. 24, 1857
March 16.....	Martin S. Curry .....	Sacramento .....	14 years.....	Oct. 27, 1857
April 7.....	Ramon Miramontez .....	San Francisco.....	2 years.....	Oct. 8, 1856
April 7.....	Ah Kong.....	San Francisco.....	1 year.....	Jan. 22, 1857
April 18.....	Charles Mitchell.....	Nevada .....	5 years.....	Dec. 5, 1856
April 24.....	King W. Folsom.....	Los Angeles.....	1 year.....	Nov. 22, 1856
April 26.....	Andrew Kentze.....	Yuba .....	5 years.....	Nov. 10, 1856

\* Killed in attempting to escape.



## EXHIBIT NO. 5—CONTINUED.

*Number of Convicts, under sentence, who have escaped from the State Prison at San Quentin, from April 1, 1856, to January 20, 1858, and are still at large :*

Date of Commitment.	Names.	County sent from.	Term of Service.	Date of Escape.
1856.				
May 10.....	Adolph Baran .....	Tuolumne.....	2 years.....	June 21, 1857
May 10.....	Dan Miles.....	Shasta .....	2 years.....	Sept. 17, 1856
May 24.....	Duncan McCrear.....	Trinity .....	2 years.....	Sept. 30, 1857
May 29.....	William Ward .....	Butte .....	2 years.....	Oct. 5, 1857
June 12.....	Carl Gowen.....	Mariposa.....	1 year.....	Jan. 25, 1857
June 18.....	Lewis Bowman.....	Sacramento.....	5 years.....	June 27, 1857
June 19.....	Thomas Thornaspin.....	Tuolumne.....	2 years.....	Dec. 24, 1857
June 22.....	Cecelia Males.....	Los Angeles.....	2 years.....	Oct. 20, 1856
July 26.....	Con. McLaughlin.....	San Francisco.....	1 year.....	Dec. 6, 1857
August 2.....	Charles Canning.....	San Francisco.....	1 year.....	April 23, 1857
August 2.....	Thomas Bowen.....	San Francisco.....	1 year.....	Oct. 25, 1856
August 2.....	John Turner.....	San Francisco.....	1 year.....	May 14, 1857
August 4.....	Ah Saso .....	Calaveras .....	1½ years.....	Oct. 15, 1856
August 20.....	Jesus Espinosa.....	Santa Clara.....	6½ years.....	Nov. 30, 1856
August 20.....	Robert Simpson.....	Yuba .....	1 year.....	Feb. 20, 1857
August 24.....	Armstead Thurman.....	El Dorado.....	1 year.....	Sept. 4, 1857
August 26.....	Louis Barnard.....	San Francisco.....	4 years.....	Nov. 30, 1856
August 27.....	William Clark.....	Santa Clara.....	1 year.....	Jan. 5, 1857
September 5.....	Frederick Geldago.....	Alameda .....	2 years.....	Dec. 18, 1857
September 28...	Wm. Jefferson.....	San Francisco.....	1 year.....	Aug. 2, 1857
September 28...	Jack Robinson.....	San Francisco.....	2 years.....	Dec. 24, 1857
October 7.....	Patrick Donnelly.....	Calaveras .....	10 years.....	Aug. 24, 1857
October 7.....	Geo. W. Apple.....	Placer.....	12 years.....	Feb. 27, 1857
October 12.....	James Reed.....	Amador.....	2 years.....	Dec. 24, 1857
October 12.....	Albert Woodburn.....	Amador.....	8 years.....	June 27, 1857
October 16.....	James Toland.....	Siskiyou.....	1 year.....	June 11, 1857
November 6.....	Thos. Chieto.....	San Francisco.....	10 years.....	Dec. 7, 1857
December 7.....	Louis Mahoney.....	Santa Clara.....	5 years.....	Jan. 6, 1857
December 7.....	Henry Hollman.....	Calaveras .....	5 years.....	June 27, 1857
December 7.....	Thos. Mundy.....	Amador.....	8 years.....	June 27, 1857
1857.				
February 19.....	James Webster .....	Yuba.....	25 years.....	Aug. 24, 1857
April 30.....	John Anderson.....	San Francisco.....	1 year.....	Sept. 17, 1857
April 14.....	George Green.....	Santa Cruz.....	2 years.....	Dec. 18, 1857
April 22.....	Jefferson Mullens.....	Sutter .....	1 year.....	Dec. 21, 1857
April 26.....	James Corbett.....	San Francisco.....	1 year.....	Jan. 18, 1858
April 27.....	John Brown.....	Calaveras .....	20 years.....	Aug. 24, 1857
July 6.....	John Cook .....	San Francisco.....	1 year.....	Dec. 24, 1857
August 8.....	Thomas Lawrence.....	Stanislaus .....	2½ years.....	Aug. 24, 1857
August 20.....	Un Lee.....	Klamath .....	3 years.....	Sept. 25, 1857

Total number of escapes—94.





## EXHIBIT No. 7.

*Number of Convicts, and places of Nativity, who are still under servitude at the State Prison, San Quentin, this 20th day of January, 1858 :*

Number.	Nativity.	Total.
Two hundred and twenty-five from, -	United States, - - -	225
Twenty from, - - - -	England, - - - -	20
Thirty-four from, - - - -	Ireland, - - - -	34
Seven from, - - - -	Scotland, - - - -	7
Seventy-five from, - - - -	Mexico, - - - -	75
Fourteen from, - - - -	France, - - - -	14
Ten from, - - - -	Spain, - - - -	10
Twenty four from, - - - -	Germany, - - - -	24
Thirty seven from, - - - -	California, - - - -	37
One from, - - - -	New Granada, - - - -	1
Nineteen from, - - - -	China, - - - -	19
Fifteen from, - - - -	Chile, - - - -	15
One from, - - - -	Belgium, - - - -	1
Three from, - - - -	Sweden, - - - -	3
Two from, - - - -	East Indies, - - - -	2
Two from, - - - -	Russia, - - - -	2
Five from, - - - -	Italy, - - - -	5
One from, - - - -	Ecuador, - - - -	1
Three from, - - - -	Switzerland, - - - -	3
One from, - - - -	Norway, - - - -	1
One from, - - - -	Wales, - - - -	1
One from, - - - -	Rome, - - - -	1
One from, - - - -	Sandwich Islands - - - -	1
One from, - - - -	West Indies, - - - -	1
Three from, - - - -	Central America, - - - -	3
Three from, - - - -	Canada, - - - -	3
One from, - - - -	Manila, - - - -	1
One from, - - - -	Martinique, - - - -	1
One from, - - - -	Isle of Man, - - - -	1
Five hundred and twelve, - - -	Whole number, - - -	512

## EXHIBIT No. 8.

*Number and Names of Prisoners employed as Trustees at the State Prison, San Quentin, January 20, 1858 :*

Name.	Occupation.	No.
Rodman Backus, -	Clerk in lessee's office, - - - -	1
C. C. Taylor, -	Clerk in commissary's department, - - -	1
John Campbell, -	Under clerk in commissary's department, - -	1
McMackin, -	Gate-keeper, - - - - -	1
Gill, - - -	Stable-keeper, - - - - -	1
Martin, - - -	Butcher, - - - - -	1
Evans, - - -	Employed at ranch, - - - - -	1
Raphael Galenti, -	Watch in shipyard, - - - - -	1
Taylor, - - -	Cook for officers, - - - - -	1
Gillman, - - -	Lives at Stocker's ranch, - - - - -	1
M. Valentine, - -	Cook on H. T. Clay, - - - - -	1
John Davis - -	Waiter, - - - - -	1
Taylor, - - -	Waiter in kitchen, - - - - -	1
Peterson, - - -	Steward in kitchen, - - - - -	1
S. A. Peterson, - -	Waiter in kitchen, - - - - -	1
Ricardo Acardo, -	Waiter, - - - - -	1
Butts, - - -	Cutting timber, - - - - -	1
Jackway, - - -	Cutting timber, - - - - -	1
Morton, - - -	Lives with Mr. Simmes, at San Rafael, - -	1
Jackson, - - -	Mate on vessel "Estella," - - - -	1
Antonio, - - -	Sailor on vessel "Estella," - - - -	1
Walla, Indian girl, -	Lives with Mrs. McCauley, San Francisco, -	1
		22

The above names of trustees were received from J. C. Gordon, overseer for J. F. McCauley.

## EXHIBIT No. 9.

J. C. Gordon, being first duly sworn, testifies as follows :

Have been at the prison since the 21st day of Decembr, 1856 ; came as superintendent of the prison by contract with Estell ; remained by such agreement until the 15th of May, 1857 ; after which time I have remained with Mr. McCauley in the same capacity up to this date ; I was also appointed by the state prison commissioners on the 21st of May, as overseer for the state, in which capacity I acted until the 1st of November, 1857, at which time I sent my resignation to the board of commissioners, to which I received a communication from the board to the effect " that they would not appoint any person to act in my place," and they have not done so up to the present time.

On or about the 14th of June, 1857, I received a list of rules from the commissioners for the government of the prisoners, the nature of which I communicated to the lessee immediately : the majority of which rules have not been observed. The reason that the rules have not been observed is because they interfered with the manner of working the prisoners, in the opinion of the lessee.

I am well acquainted and conversant with the rules for the government of the prison, before referred to, and have no hesitation in stating that, in any well regulated prison they would be easy to be observed.

The rules provide " that no prisoners shall go outside the limits of the guard," without a sufficient guard to prevent their escape, while prisoners are frequently sent outside such limits without any guard at all. Prisoners are also allowed to act as turnkeys, and to sleep outside the walls. There are also, at the present time, some half dozen prisoners *bosses*, as they are called. They are sent on boats to San Francisco, at times from eighteen to twenty-three prisoners, with only two free men to act as guard. I suggested to Mr. McCauley that there should be a larger guard force, but he replied " that he would not send more." There are two boats here worked or run by the prisoners, between this place, San Francisco, and Mare Island, in the transportation of bricks, goods, etc. There is liquor sold at one place within the limits of the guard, and I am informed that liquor is sold at another place within five hundred yards of the prison walls.

I do not think there has been any room for complaint as to food for the last ten days ; for two months previous to that time there was complaint made by the prisoners.

The prisoners are fed twice in each day ; at half past nine in the morning and two in the afternoon. Prisoners get to work about sunrise, and work generally until half past three in the afternoon. It is a common thing to work prisoners on Sunday, loading boats, etc. There is no resident physician here at the present time.

Eighteen men constitute the present prison-guard force, distributed as follows : Thirteen always on the " look-out " during the day, at different points ; two of which are " horse-guards," that is, mounted on horseback. As soon as the day-guard comes in, which is at the ringing of the bell, about four in the afternoon, the night-guard commences, which consists of three men at a time, who keep their posts until twelve o'clock at night, and then they are relieved by the same number. The night-guard is stationed inside the walls, immediately around the prison building. I do not deem the guard sufficient, considering the condition of the present buildings. The pay of the guard is forty dollars per month each, including board. During the summer there were from two to three hundred prisoners worked outside the prison walls each day ; at present there is not quite so many. There are three prisoners working on a ranch, about ten miles from

here, who only come back for provisions or on business. The ranch is claimed by Cowell and Ross. There is no guard with the prisoners at the ranch.

Eight prisoners sleep outside the walls of the prison at present. When I first came here there were some sixty or seventy sleeping outside the walls entirely unguarded.

I have known prisoners to be sent to San Francisco with boats, often without any guard accompanying them, two prisoners at a time, in sail-boats. The prisoners are allowed to purchase sugar, tea, coffee, etc., when they have the money to pay for the same.

JOHN C. GORDON.

Sworn and subscribed before me, this twentieth day of January, A. D., 1858.

J. O. GOODWIN,  
Chairman of Joint State Prison Committee.

## EXHIBIT No. 10.

M. F. Butler, being duly sworn, on oath, says :

That by profession he is an architect; that on the 9th June last, he was requested by the state prison commissioners to visit the state prison, in company with them, for the purpose of drawing plans for state prison buildings that they contemplated erecting; that while there, the site of the building was determined upon; that immediately upon his return to Sacramento, he prepared plans and specifications for a building to be used for the purposes of a hospital, dining-room, female prison, kitchen, etc.; that at a subsequent meeting of the board, the plans were adopted; but upon deliberation, they determined that it would be more advisable to erect a prison building first.

I was then ordered to prepare plans for a prison, at the same time to make duplicates of the plans already drawn, to file in their office. My instructions were to erect the buildings of stone, and I prepared plans accordingly; but upon representations made by the lessee to the commissioners, of the great expense attending same, they changed the plans, and instructed me to make the building of brick, which I did, and they were adopted.

On the 20th August, I delivered the plans and specifications to Gen. J. M. Estell, at San Francisco, also a letter of instruction from the board, notifying him of my appointment as architect and superintendent of the work. He then informed me that he would immediately commence the buildings. On the 22d, accompanied me to the prison. I laid out the work, and left, under the assurance that it would be prosecuted as soon as materials could be procured.

I have visited the prison five different times since then, by order of the commissioners, for the purpose of having the work started, and under repeated promises that it would be; but as yet, not a brick has been laid according to the direction of the board.

I would respectfully refer the committee to my report to the board of state prison commissioners, as it fully sets forth the reasons of the sub-lessee, Mr. J. F. McCauley, not proceeding with the work.

In making my designs for the prison, I was instructed by the commissioners to lessen the cost of the buildings whenever practicable, without detriment to their stability, and without hazarding the safety of the prisoners, which I did. I consider the contemplated building absolutely necessary. The present building has not sufficient capacity to properly contain one-half the prisoners that are now confined in same.

If the buildings, as directed by the commissioners, had been erected according to the plans, they would have been amply sufficient for all immediate purposes.

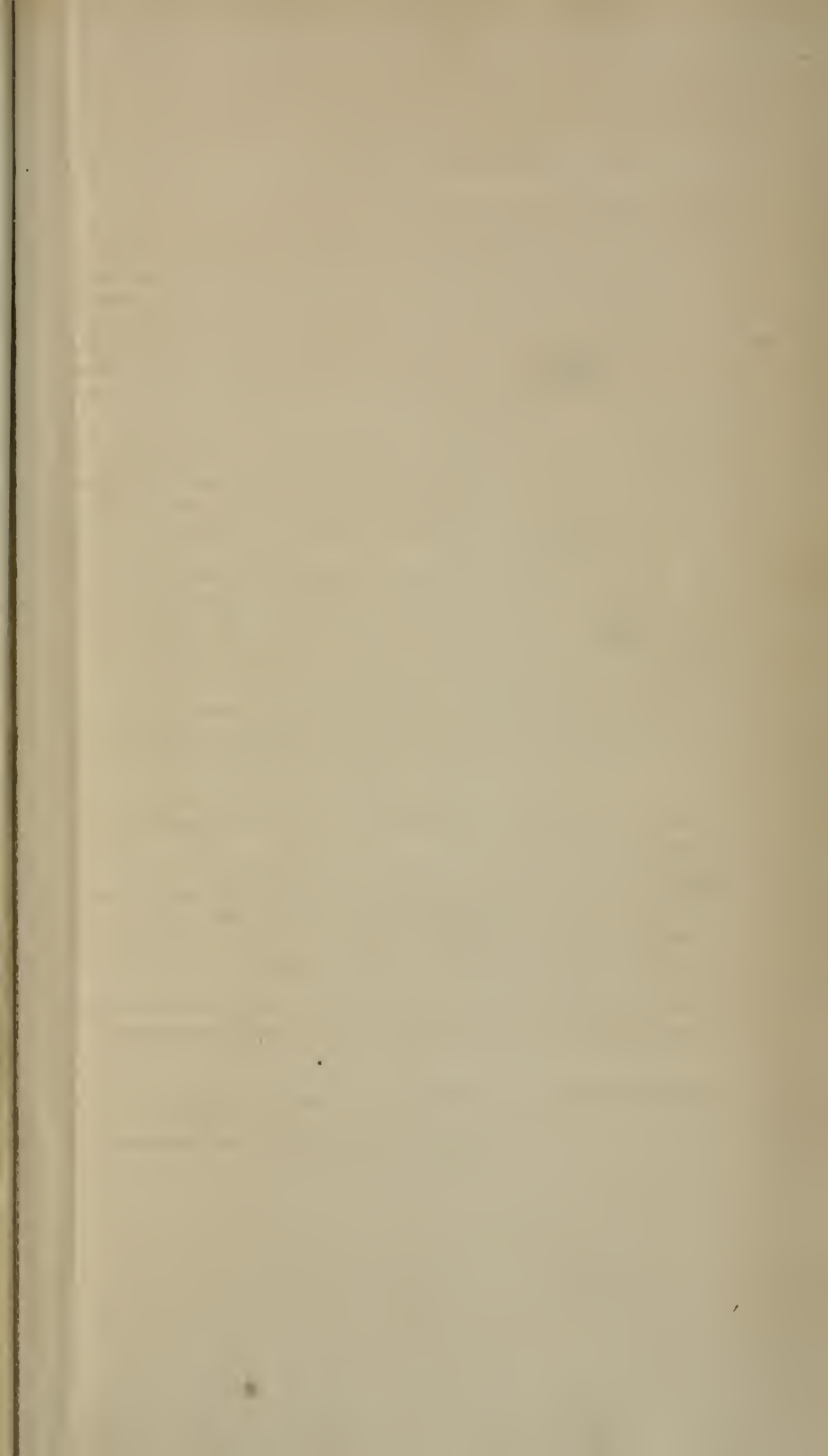
M. F. BUTLER.

Sworn and subscribed before me, this 27th day of January, 1858.

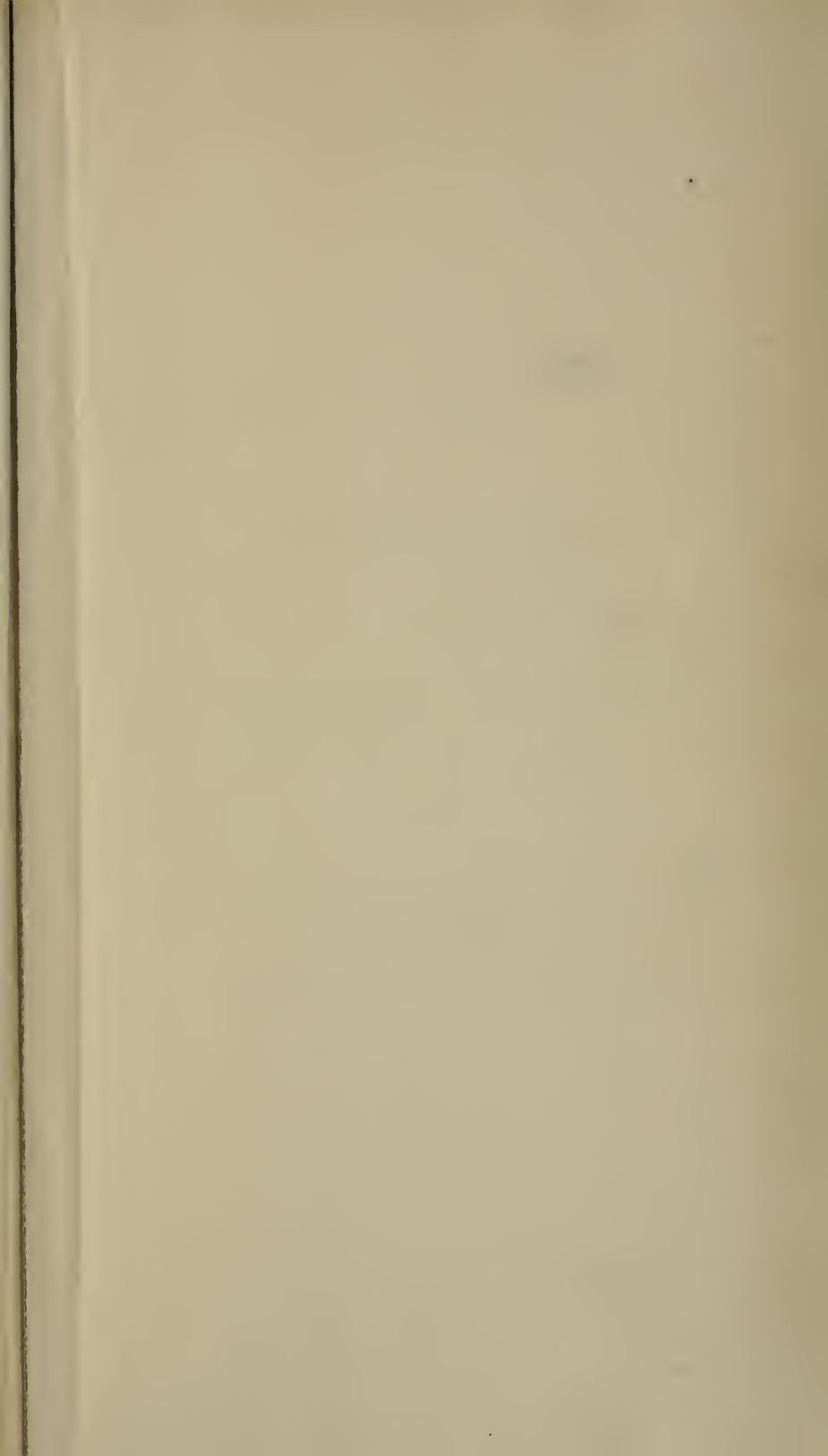
J. O. GOODWIN,

Chairman of Joint State Prison Committee.











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IN ASSEMBLY.]

[NINTH SESSION.

R E P O R T

OF

THE SELECT COMMITTEE

APPOINTED TO

VISIT SAN FRANCISCO.

---

JOHN O'MEARA, STATE PRINTER.



## REPORT.

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MR. SPEAKER:—The select committee appointed by this House, under the following resolution, adopted January 30, 1858 :

*“Resolved, That a select committee of three, with power to send for persons and papers, be authorized by this House to proceed to San Francisco, and to obtain, for the information of the Assembly, reliable data respecting the fees in office of the sheriff, clerk, recorder, and other officers of the city and county of San Francisco; and, further, to examine the books, and inquire into the affairs of the commissioners of the funded debt of the city and county of San Francisco, and report the same to the House:”*

Respectfully

### REPORT :

That they entered upon their duties February 1, 1858, and that they examined, in person, the books and papers of the various officers referred to in the above resolution, required sworn statements to be submitted by the different incumbents thereof—and procured depositions of various persons in relation thereto, and they respectfully submit the following, as the result of their labors :

---

### CITY AND COUNTY RECORDER.

The fees collected by this officer from the first of June, 1855, to date, have been regulated by the act entitled “An act to regulate fees of office,” passed April 10, 1855 :

Gross receipts of recorder, (James Grant) from June 1, 1855,	
to October 1, 1855, were,.....	\$5,827 00
Expenditures for same period,.....	3,160 00
Net proceeds, (four months), .....	<u><u>\$2,667 00</u></u>

Gross receipts of recorder, (F. D. Kohler) from October 1, 1855, to October 1, 1857,.....	\$38,667 00
Expenditures during said term,....	23,448 00
Net proceeds, (two years,).....	<u>\$15,219 00</u>
Gross receipts of recorder, (G. W. Beckh) from October 19, 1857, to February 1, 1858,.....	\$4,647 62
Expenditures, same period,.....	1,945 03
Net proceeds, (three and one-half months,).....	<u>\$2,702 59</u>

Included in the gross receipts of Mr. Beckh, are the receipts for the filing of tax certificates, which have added greatly thereto, but which, from the present time up to the next tax sale, will be comparatively nominal.

In addition to the fees received under the fee bill of 1855, Mr. Beckh is allowed, by the act amending the consolidation act, passed April 18, 1857, \$4 16 per month, as compensation for all services required of him by the city and county government, including the filing of the tax collector's levy upon some eleven hundred pieces of property, and the recording of about fifteen hundred cases of deaths per annum. For further particulars, your committee would respectfully refer to vouchers, marked "Recorder," from A to K, inclusive.

#### SHERIFF.

The fees collected in this office, from private parties, or by way of costs or judgments against individuals, in civil and criminal cases, have been regulated from June first to date, by an act entitled "An act to regulate fees in office," passed April 10, 1855. In addition thereto, until the consolidation act went into effect, July 1, 1856, the sheriff had received from the county an allowance for fuel, lights, contingencies, etc., for subsistence of prisoners, and for collection of city and county taxes. Before the act amendatory of the consolidation act, passed April 18, 1857, he also received further remuneration from the city and county for other services rendered. By the last named act, in lieu of all such allowances, which would otherwise be a city and county charge, the sheriff is entitled to receive the sum of \$3,000 per annum.

In reference to the receipts and expenditures of this office, from the effective commencement (July 1, 1855,) of the statute governing fees thereof, now in operation, to the expiration of the term of office of David Scannell, October 1, 1857, your committee would state, that they have been unable to obtain full and definite information, owing to the absence of books and papers connected therewith.

Amount received by sheriff, (Wm. R. Gorham) from July 1, to October 1, 1855:

For civil business,.....	\$10,397 02
County business,.....	8,100 00
	<u>\$18,497 02</u>

Expenses civil business,.....	\$6,300 00
Expenses county business,.....	4,242 50
	<u>          </u>
Net proceeds,.....	\$7,854 52

The committee would state, particularly, that as the cash-book of the late incumbent, David Seannell, has disappeared, and as all persons who were connected with the chief management of his office are absent, they have found it impossible to procure the exact amount of receipts and expenditures during his term.

The only definite information which they have been able to obtain, is that said Seannell—

Received for county business alone, from October 1, 1855, to April, 1856,.....	\$24,581 90
And expended on account of county business, same period,...	6,340 00
	<u>          </u>
Net proceeds for six months,.....	\$18,241 90

For which services, the present sheriff receives compensation at the rate of \$3,000 per annum.

Your committee, however, from exhibits annexed hereto, and other information, would estimate the net receipts of the sheriff, during the late incumbent's term, under the laws relating thereto now in force, to be \$2,000 per month.

Amount received by sheriff, Charles Doane, for three months, ending January 8, 1858, from all sources,.....	\$7,128 37
Expenses for same period,.....	4,733 46
	<u>          </u>
Net proceeds for three months,.....	\$2,394 91

(See vouchers marked "Sheriff," from A to L, inclusive.)

#### CLERK CITY AND COUNTY OF SAN FRANCISCO.

This officer is clerk of the fourth and twelfth district courts, of probate court, county court, and court of sessions, of the city and county of San Francisco.

The fees received by this officer, as clerk of the probate court and county court, are regulated by sections forty-three and forty-five of an act entitled "An act to regulate fees in office," passed April 10, 1855. As clerk of the fourth and twelfth district courts, his fees have been regulated, since April 5, 1856, to date, by section fifth of the same act.

Gross receipts of clerk (Thomas Hayes) from all sources, from January 1, 1857, to October 1, 1857, .....	\$39,736 25
Expenditures, same period, .....	18,000 00
	<u>          </u>
Net receipts, nine months, .....	\$21,736 25

[NOTE.—The major portion of this sum is embraced in the receipts of the last three months of the above period, and after the abolition of the superior court.]

Gross receipts of clerk, (Wm. Duer) from October 5, 1857, to January 31, 1858, from fourth and twelfth district courts, were, .....	\$19,861 74
Expenses, same period, .....	7,948 98
Total, .....	<u>\$11,912 76</u>
Gross receipts of clerk from October 5, 1857, to February 5, 1857, from county court, and probate court, and court of sessions, were, .....	\$2,233 65
Expenditures for same period, for same business, .....	600 00
	<u>\$1,633 65</u>
Total, .....	\$13,546 41
Add, as received from county, \$50 per month, .....	200 00
	<u>\$13,746 41</u>
Net proceeds for four months, .....	\$13,746 41

In reference to the above statement, it must be observed that no suits instituted in the two district courts since the present incumbent came into office, have been brought to trial. And further, that the fourth district court has been but a short time in session during the same period. Had the suits brought since the present incumbent's entrance into office been tried, his net income, (four months) the committee estimate, would have been \$13,300, instead of \$11,912, as appears by the above statement.

Upon an examination of the registers for the year ending October last, they found four hundred and forty-three persons had been naturalized. Fees in these cases, \$6. Income from this source is therefore \$2,658 per annum.

The total number of suits brought during the present incumbent's term of office, has been eight hundred and forty-nine, up to February 1st, 1858. Average, per month, two hundred and twelve. The committee estimate from data annexed hereto, that the average number of suits instituted in both district courts will be two hundred and forty-one per month through the coming year, and that the average costs will be, in each suit, (exclusive of the court tax of \$3,) \$26. They therefore consider that the average net receipts of this office, from all sources, during any one year, under the statutes governing fees thereof, now in force, cannot be less than \$58,000 per year.

With regard to the illegal exaction of fees in this office, the committee have been unable to discover that such has ever been the case, although instances have appeared where there have been differences of opinion between the clerk of the court and the attorney of a case, as to the construction of the statute relating thereto. It is the opinion of your committee, however, from a careful examination of the registers, in numerous cases, that a strict construction of the present statute by the clerk, permits him to make many charges which are illiberal. The committee would further state, in relation to this matter, that although they have been unable to discover any authority therefor in the statutes, it has been the custom in all the courts in the city and county of San Francisco, to exact jurors' fees in civil cases.

For further particulars in relation to this office, the committee refer to exhibits marked "Clerk," from A to K.



## CITY AND COUNTY TAX COLLECTOR.

*Estimates of the Receipts and Disbursements of the Tax Collector for twelve months :*

Total amount received and to be received, from all sources, for the year, .....	\$12,436 44
Deduct clerk hire, office expenses, printing, stationery, fuel, lights, etc., .....	5,650 00
Total,.....	\$6,786 44

(See exhibit marked marked "Tax Collector.")

## CITY AND COUNTY TREASURER.

*Estimates of the Receipts and Expenditures of this office for the year ending February 1st, 1858 :*

Salary per annum, as fixed by the consolidation act,.....	\$1,000 00
Commissions allowed by Comptroller of State for the year, ..	6,578 11
Mileage, four quarters, in going to and from Sacramento, \$50 each, .....	200 00
Fees received on state and county licenses for the year,.....	1,875 00
Commissions on redemption money, (property sold for taxes,) ..	20 00
Gross receipts from all sources.....	\$12,693 11
Disbursements for same period, for clerk hire, office expenses, traveling expenses to Sacramento, conveyance of coin to State Treasurer's office, legal services, etc.,.....	5,600 00
Income per annum,.....	\$7,073 11

## CITY AND COUNTY SURVEYOR.

*Statement of the Receipts and Disbursements for four months, ending February 1st, 1858 :*

Receipts for private surveys from October 5th, 1857, to February 1st, 1858, .....	\$1,059 00
Salary from city and county, under consolidation act, of \$1000 per annum,.....	319 25
Total,.....	\$1,378 25
Disbursements for same period for assistant surveyor, rod-man, and office expenses, etc.,.....	680 25
Net receipts for four months,.....	\$698 25
Net receipts for one year,.....	\$2,094 75

## CITY AND COUNTY ASSESSOR.

*Estimates of Receipts and Disbursements of Assessor for twelve months past :*

Received per diem for himself and deputies for assessments of 1857 and 1858,.....	\$4,584 00
Commissions for collecting military and poll-taxes under revenue act of 1857,.....	1,492 10
Extra compensation, as allowed by the board of supervisors as per act of 1857,.....	900 00
Total,.....	\$6,976 10
For services of deputies and contingent expenses of office,...	4,874 70
Net income per annum,.....	\$2,101 40

(See exhibit marked "Assessor.")

## DISTRICT ATTORNEY.

*Estimates of Receipts and Expenditures of the District Attorney, for four months past :*

Salary, as allowed by the consolidation act, at \$4,000 per annum, .....	\$1,333 32
Received fees for prosecuting license suits, four hundred suits terminated, at \$7 50 each, being one-half the amount allowed by law, by Mr. Osborne's statement, (three hundred suits still untied, and pending,).....	\$3,350 00
Total,.....	\$4,683 32
Deduct for professional assistance, \$1,150, and expense of fitting up office, making \$100,.....	1,250 00
Net receipts for four months,.....	\$3,433 32

[NOTE.—The fees for the collection of delinquent licenses have been, for the last quarter, much larger than usual, in consequence of the treasurer having searched out some five hundred delinquents, who had never paid state and county licenses.] (See exhibit.)

## CITY AND COUNTY AUDITOR.

*Estimate of Receipts and Disbursements of the Auditor :*

Salary, as fixed by the consolidation act, per annum,.....	\$4,000 00
Total receipts from licenses and commissions on poll-taxes, for one year, .....	1,906 00
Total, .....	\$5,906 00



Brought forward,.....	\$5,906 90
Clerk hire,.....	1,800 00
Net income per annum,.....	\$4,106 00

(See voucher marked "Auditor.")

#### STATEMENT OF JUSTICES OF THE PEACE,

*Of the several Districts, from First to Tenth, (no return from Eleventh and Twelfth Districts,) for a period of six months.*

Districts.	No. of Suits.	Constables' Fees.	Costs of Court.	Amount of judgments rendered.
First.....	618	\$2,207 13	\$3,147 42	\$41,122 00
Second.....	140	263 75	527 75	11,191 00
Third.....	546	964 37	1,872 00	19,482 95
Fourth.....	294	871 46	1,535 66	16,740 30
Fifth.....	143	750 00	1,013 50	8,106 28
Sixth.....	200	500 00	900 00	7,000 00
Seventh.....	184	456 00	859 50	11,316 00
Eighth.....	13	288 09	243 25	1,484 00
Ninth.....	229	578 00	902 50	16,521 69
Tenth.....	313	513 50	1,142 25	5,847 72
Total.....	2,680	\$7,393 30	\$12,143 83	\$138,821 91

#### RECAPITULATION.

Total number of suits brought for six months,.....	2,680
Total amount of judgments rendered,.....	\$138,821 91
Total amount of justices' costs received for same period,.....	\$12,143 83
Amount of constables' fees, .....	7,413 30
Add for witness and jury fees,.....	1,000 00
Total costs,.....	\$20,557 13

Numerous instances have been laid before your committee, in which it has been quite apparent that the justices of the peace and constables, both, have exceeded their legitimate authority, in exacting illegal fees. Some of these officers have stated to your committee, by way of justification, that as they had never been able to understand the statutes governing them in this matter, they thought it best to adhere to a custom, which, in their opinion, was well established.

(See exhibit marked "Justices of the Peace.")

## PUBLIC ADMINISTRATOR.

*Statement of the Affairs of this office, during a period of thirteen months past, up to February 1, 1858 :*

Estates held, as special administrator, during term of present incumbent, .....	\$6,740 70
Commissions on same, as allowed by act, to date, February 1, 1858, .....	269 60
Estates held under grant of general letters, etc., appraised value, .....	303,554 98
Commissions on same, not yet allowed, but subject to decision of Supreme Court, on suits now pending before same, .....	12,142 16
Cash received by Mr. Rogers, public administrator, from various estates, in thirteen months, ending February 1st, 1858, .....	50,644 80
Cash disbursed on account of said estates, during same period, .....	27,514 30
Total amount of estates in hand, .....	310,295 69
Amount of fees received by public administrator, for thirteen months, ending February 1, 1858, .....	269 60
Amount of fees due, same period, .....	12,142 16
Total fees, thirteen months, .....	\$12,411 76

(See statement, annexed.)

## COMMISSIONERS OF THE FUNDED DEBT OF THE CITY OF SAN FRANCISCO.

The board of commissioners of the funded debt of the city of San Francisco was organized May 1st, 1851, under an act entitled an act to authorize the funding of the floating debt of the city of San Francisco, and provide for the payment of the same, passed May 1st, 1851. The committee respectfully refer to said act for information respecting the duties and powers of said board. With regard to its acts they submit the annexed statements, embracing a full and definite account thereof from the date of its organization up to February 1st, 1858, and at the same time make the following explanatory remarks relative thereto :

Statement A shows the total amount of the old indebtedness redeemed by the commissioners.

Statement B shows the total amount of bonds issued and redeemed, with a copy of the report of the committee of the common council stating that the scrip funded corresponds with the books of the comptroller.

Statement C shows the total amount of sales of real estate, and in what manner the proceeds were appropriated.

Statement D is a complete list of all loans which have been made, and which have been paid.

Statement E shows a list of loans now outstanding, and securities in the hands of commissioners.

Statement F contains a list of law-suits to which the commissioners have been parties, and the particulars in relation thereto.

Statement G is a complete exhibit of the receipts and expenditures of the board from May, 1851, to February, 1858, for each year in succession.

Statement II is a condensed statement of the total cash receipts and expenditures by the board up to February 1st, 1858.

Statement I contains copies of leases of agreements respecting Broadway, Pacific, and California street wharves, made by commissioners of sinking fund, and transferred to commissioners of funded debt under act passed May 1st, 1851.

Statement K contains the annual reports of the commissioners to the various councils and supervisors, as required by law, for each year since their organization. Also, the special report made at the request of the common council in December, 1852, showing each item of expenditure to that date. Also, special report in reference to Colton grants. Also, the various reports of grand juries of the county on the business of the board, as managed by the commissioners.

The record of the entire proceedings of the board is in the office thereof, and has been submitted to the inspection of the committee. The vouchers for \$949,431 26, interest paid, and \$180,200 bonds redeemed, are embraced in eight volumes, and contain two thousand nine hundred and five pages. The vouchers for all other expenditures are also on file, and numbered from one to four hundred and thirty-four, inclusive. These have been examined by the committee, and found satisfactory.

From these statements the committee gather the following facts :

The total amount, principal and interest of the debt of the city contracted prior to May 1, 1851, now in possession of the board, and cancelled, is,	\$1,908,468 31
Total amount of the old debt redeemed by the commissioners, .....	1,823,415 96
Total amount of bonds issued, .....	1,635,600 00
Redeemed and cancelled, .....	180,200 00
Now outstanding, .....	1,455,400 00
If we deduct from this the sinking fund, (\$93,749,) and if the commissioners obtain from the city \$88,200 due on the requisition of 1856, and \$50,000 due for 1857, the sum total applicable to the redemption of the board will be,.....	\$231,949 00
Leaving the old debt, .....	\$1,223,451 00
Deducting the amount from the total debt, .....	1,823,415 96
Shows that if the city complies with the provisions of the funding act, the commissioners will be able to reduce the old debt in the sum of.....	\$599,964 96

Were the above sums in the possession of the commissioners, they would be in a position to reduce the bonds outstanding to the sum of \$1,223,451, being a reduction of \$412,149 in one-third of the period allotted for the final redemption of all the bonds. In the condensed statement, H, of receipts, there appears the sum of \$86,867, received from interest on loans. This sum, it appears to the committee, might have been much larger, but the board, in the disposition of moneys under their charge, seem to have been exceedingly cautious, preferring to allow moneys to lie idle rather than incur any risk; apart from this, the commissioners appear to have considered that the punctual payment of the coupons, when due, was of greater importance even than the accumulation of interest, inasmuch as it is well known that these bonds are held in



almost every state of the Union, and in some cases by parties who undoubtedly could not well forego the interest; hence it appears the board have almost invariably called in their loans many months before it was absolutely necessary, in order to be in readiness to meet the interest becoming due in November in case the city should fail, as it once did, to receive money for taxes, the collection of which unfortunately commences only a few weeks previous thereto.

Several times during its existence, the board appear to have been obliged to call in the aid of the courts to enforce payment, by the treasurer, of the sum required to meet the interest. Had the sum of \$88,200, due from the city on requisition of 1856, been loaned out, there doubtless would have been an additional gain of interest of at least \$10,000. There also appears, in statement H, the sum of \$66,301 15, received from Pacific, Broadway, and California street wharves. The collection of this sum, owing to the action of the city, in closing up a portion of the slips of Pacific and Broadway wharves in violation of a lease confirmed by the council and the Legislature, (see Laws 1851, pp. 313, 315,) has been attended with trouble and expense; so, also, from California street wharf, which, after its construction, fell to the city as a street, without any remuneration to the lessee. The committee would compare the management of these wharves, by the board, with that by the city authorities of all other wharves. It will be found that the receipts into the city treasury, from the latter, have been trifling, the various wharf companies being indebted, as reported by a late grand jury of the county, in the sum of \$100,000 for rents due. The item of \$3,037 55, collected under the authority of the council for street assessments, the commissioners and the committee consider gain to the city. Other sums are due, and may, perhaps, be collected by suits at law.

In the amount of expenditures, it will be seen that the sum of \$949,431 26 has been paid for coupons and interest on bonds. Since the act consolidating the city and county government went into operation, the treasurer, in accordance with the provisions of that act, has paid these coupons on their presentation at his office. They are then referred to the commissioners, and are entered and cancelled upon their books. In all cases where interest is paid on lost coupons, satisfactory bonds have always been required by the board to refund the money in case they are presented. At the commencement of their operations, and for a few years succeeding, the commissioners appear to have met with serious difficulties, involving expenditure in what they considered necessary litigation. Attempts made to sell the property of the city were met by injunctions, either from the common council or individuals. Wharf companies refused to comply with the terms of their leases, being enjoined by parties claiming the franchise under sheriff's titles. From the constant demand for attorneys to represent the commission in court, the board concluded, finally, that it would be expedient to engage counsel by the year. It having been intimated to the commissioners that it was their duty, as trustees for the holders of city bonds issued by them, to intervene before the United States land commissioners in support of the city's title to pueblo lands, the commissioners, at the request of the city council of 1852, and in furtherance of negotiations entered upon by them, made a contract with Messrs. Crockett & Baker, and Gen. Thomas, in which the latter bound themselves to perform the duty of counsel to the board, at an annual salary of \$2,500, and to give their attention to the claim of the city before the land commissioners, receiving a retaining fee of \$2,500 each, and stipulating for a contingent fee of \$10,000, depending upon confirmation of the city's title, according to the limits

established by an order or grant made by José Figueroa, Governor of California.

Exclusive of actual litigation in court, the services rendered by parties engaged by the board as counsel, appear to have been extensive; such as protracted negotiations, the drawing of leases, contracts, papers to secure loans, and other documents, written and verbal opinions concerning the various matters of the board, the examination of titles, and the collection of debts. Of litigation, exclusive of the foreclosure of mortgages, and the defence and maintenance of the rights of the city to the various wharves under the control of the commissioners, there have been several suits of importance. Several of these appear to have arisen from the difficulty of making the authorities of the city and county comply with the law in paying over the funds. This has been an annual litigation. In 1855 and 1856, it appears to have become necessary to compel payment against the then treasurer of the city by mandamus, and after litigation, a peremptory mandamus was issued, and the money paid. In 1856 and 1857, the then treasurer, under the advice of the present city government, paid part, and resisted payment of the balance. Another mandamus was applied for, and, after litigation, was granted. An appeal was taken to the Supreme Court. In November, 1857, a series of litigations with the present city and county officials were commenced, and are now in progress; among them, an application for mandamus to compel the present treasurer to pay over the money as provided by the act of 1851. This was resisted by the counsel for the city and treasurer on various grounds; among others, that the demand should be audited by the board of supervisors. This application was denied, and one was made for a mandamus to compel the board to audit, as they had declined so to do. The mandamus was granted, from which the supervisors took an appeal. Also, a suit by the city and county against the commissioners, involving the existence of the board, and charging illegal acts of the commissioners, etc., has been commenced, a preliminary injunction issued, modified on argument, and the order appealed from by the board.

In statement H, it appears that the total amount of counsel fees charged under the head of expenditures by the commissioners, from the date of their organization to February 1, 1858, is \$44,196 58, paid to the following named parties:

Solomon Heydenfeldt,.....	\$1,000 00
R. A. Lockwood,.....	1,000 00
J. W. Dwinelle,.....	1,460 00
Crockett & Baker,.....	5,000 00
Crockett & Page,.....	16,375 00
Isaac Thomas,.....	11,992 33
F. M. & H. H. Haight,.....	5,625 00
J. G. Baldwin,.....	250 00
Costs of court,.....	1,494 25
Total, .....	<u>\$44,196 58</u>

With regard to the legal business of the board, and the necessity of the above expenditure, the committee would refer to statements "F" and "K." It appears to them to be unnecessarily large, and not at all commendable on that account; but they suggest that it is proper, perhaps, in forming any opinion on this matter, to take into consideration the ordinary relations which have existed between lawyer and client

in this country in past years, particularly in San Francisco. It is not probable that any large sum will hereafter be paid for legal services by this board. As to the legality of this expenditure, as well as that for clerical services, it appears to be of questionable character; the committee, however, suggest the principle that a trustee may and ought to defend the title to trust property, and that, in the due execution of a trust, all necessary expenses should be allowed, although they may not be expressly authorized by law.

The sum fixed by the common council in 1851, (in accordance with the provisions of the act establishing the commission,) as the salary of the respective commissioners, was \$1500 to the president and secretary, each, and \$1200 per annum for each of the remaining commissioners, making \$6600 per annum for the services of five persons. This sum has been paid to each commissioner, while in office, amounting in the aggregate, for the entire term, to the sum of \$40,700. By an examination of the statements annexed, an estimate may be formed of the nature and extent of the business of the board, and the necessity of this expenditure. The committee are of opinion that the secretary, (Mr. Hooper,) performs the greater part of the arduous duties devolved upon the commission, and that this item of disbursement has therefore been improperly distributed. As the common council of 1853 diminished the salaries of the respective commissioners, it has been contended that this charge since that period has been made in violation of law.

By reference to statement E, it will be observed that the total amount of loans now outstanding, made by the commissioners, is \$93,749 (ninety-three seven forty-nine.) The committee have examined with care the bonds and mortgage, and other securities, in each case mentioned therein, as will be seen from remarks made in said statement, the abstracts of the titles to the real estate pledged, and further submit to the House appraisements made, by competent parties, of said securities, with regard to their sufficiency. Of the forty cases in which loans, outstanding and paid, (amounting to \$446,700,) have been made, at ruling rates of interest, two cases appear in which the securities may not prove quite sufficient, although they were adequate at the time the loans were made. In investing the surplus funds, as required under the act, it appears that the board, at the commencement of its organization, decided that it would, under no circumstances, loan money to any member thereof. The committee have satisfactory proof that the rule has been rigidly adhered to. The names of all parties to whom this fund has been loaned are contained in statements D and E. The commissioners, further, seemed to have considered it wiser to redeem their own bonds at par and interest, than to loan money on any security. To this end, they have requested prominent business houses in San Francisco to make special exertions to obtain them in New York, and other cities. They have also employed Messrs. William Hoge & Co., and others, in New York, to procure them, if possible. But it seems that these parties found that the high price of the bonds allowed no margin. The notice now published by the board to receive proposals for the redemption of \$20,000, grew out of a similar arrangement in December last by parties in New York. If successful, loans will be called in, and efforts repeated; if not, the board has expressed its intention, which your committee consider judicious, of investing the money in state bonds, heretofore avoided because illegal, or in city bonds, heretofore objected to by the board from want of a reasonable confidence, perhaps, in the financial agents of the city.

Annexed hereto is a list of the bonds given by the commissioners from



time to time, conditioned for the faithful discharge of the duties of their office, and now filed in the auditor's office of the city and county of San Francisco. Your committee have examined these instruments, and are of opinion that most of them are informal, and the rest insufficient. Section sixth of act passed May 1, 1851, regulating this matter, should be amended by requiring of each commissioner an official bond, with sureties, to conform in all respects with the provisions of the act concerning official and other bonds, approved April 2, 1857.

Your committee are satisfied that the commissioners have executed the trusts confided to them with good faith and fidelity, and would specially refer to the assiduity and integrity shown in the management of the intricate affairs of the board by the secretary, Mr. Hooper. Any errors which may have been made by them, appear to be the result of wrong conclusions as to the implied powers of the commission.

The committee, in calling attention to the facts which suggest legislation in this matter, viz.: that the commissioners have been unable to obtain the principal debt for redemption, and that the necessary investment and preservation of the sinking fund is greatly disproportioned to the increase thereof—would further refer to the nature of the commission. It was organized as a trust, and, as thus the honor and financial reputation of the city of San Francisco and the state of California are directly involved, they are of opinion that any legislation which may be deemed necessary thereon, should take place with that important idea as a basis.

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The committee have received, in addition to the facts set forth in the above remarks, many others, which, in their opinion, will be of importance in legislating upon the subject matter of this report. They have also received many valuable suggestions in relation thereto, for which they respectfully refer to the accompanying documents, and especially to the minutes of the committee.

All of which is respectfully submitted.

J. B. MOORE,	} Committee.
D. E. BUEL,	
BEN. E. S. ELY.	

FEBRUARY 15, 1858.



